

MISSOURI HOUSE OF REPRESENTATIVES
ROD JETTON, SPEAKER

**SUMMARIES OF
TRULY AGREED TO AND FINALLY PASSED BILLS**

MISSOURI GENERAL ASSEMBLY
93RD GENERAL ASSEMBLY
SECOND REGULAR SESSION
2006

Prepared by House Research Staff

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ROD JETTON
SPEAKER OF THE HOUSE
MISSOURI HOUSE OF REPRESENTATIVES

May 13, 2006

To: Members of the House of Representatives

From: Speaker Rod Jetton

Attached are summaries of the bills Truly Agreed To and Finally Passed in the session just ended. Additional copies are available from the House Post Office (751-4555) or House Research (751-2979).

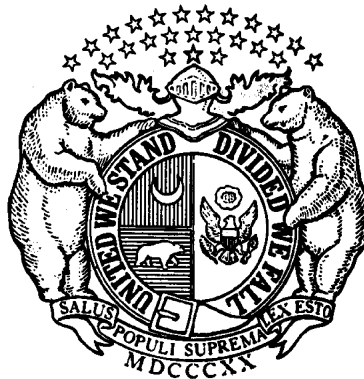
You will be mailed a printed booklet of the summaries with an index as soon as it is available.

TRULY AGREED TO AND FINALLY PASSED

HOUSE BILLS

**SECOND REGULAR SESSION
93rd GENERAL ASSEMBLY**

2006



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FY 2007 OPERATING BUDGET SUMMARY

House <u>Bill</u>		FY 2006 Budget	FY 2007 TAFP
1001	<u>Public Debt</u>		
	General Revenue	\$ 104,855,732	\$ 91,358,692
	Federal Funds	0	0
	Other Funds	<u>1,002,235</u>	<u>6,287,634</u>
	Total	\$ 105,857,967	\$ 97,646,326
	FTE Total	0.00	0.00
1002	<u>Elementary and Secondary Education</u>		
	General Revenue	\$ 2,558,361,252	\$ 2,739,824,155
	Federal Funds	948,302,067	939,524,896
	Other Funds	<u>1,336,789,504</u>	<u>1,337,181,733</u>
	Total	\$ 4,843,452,823	\$ 5,016,530,784
	FTE Total	1,893.46	1,842.46
1003	<u>Higher Education</u>		
	General Revenue	\$ 855,961,813	\$ 889,356,731
	Federal Funds	6,247,638	6,468,111
	Other Funds	<u>183,805,883</u>	<u>182,792,028</u>
	Total	\$ 1,046,015,334	\$ 1,078,616,870
	FTE Total	89.73	75.92
1004	<u>Revenue</u>		
	General Revenue	\$ 95,788,938	\$ 85,437,324
	Federal Funds	7,644,994	6,404,905
	Other Funds	<u>324,789,987</u>	<u>320,377,203</u>
	Total	\$ 428,223,919	\$ 412,219,432
	FTE Total	1,794.76	1,629.16
1004	<u>Transportation</u>		
	General Revenue	\$ 11,489,115	\$ 11,859,321
	Federal Funds	57,431,590	53,751,383
	Other Funds	<u>1,656,709,297</u>	<u>2,555,874,644</u>
	Total	\$ 1,725,630,002	\$ 2,621,485,348
	FTE Total	6,990.20	7,005.95
1005	<u>Office of Administration</u>		
	General Revenue	\$ 146,838,265	\$ 170,700,804
	Federal Funds	16,116,423	76,306,928
	Other Funds	<u>9,157,399</u>	<u>28,871,430</u>
	Total	\$ 172,112,087	\$ 275,879,162
	FTE Total	829.50	1,833.05
1005	<u>Employee Benefits</u>		
	General Revenue	\$ 475,323,434	\$ 510,411,801
	Federal Funds	147,578,286	160,837,877
	Other Funds	<u>141,568,823</u>	<u>144,728,612</u>
	Total	\$ 764,470,543	\$ 815,978,290
	FTE Total	0.00	0.00
1006	<u>Agriculture</u>		
	General Revenue	\$ 16,484,499	\$ 22,832,655
	Federal Funds	5,443,995	4,933,906
	Other Funds	<u>15,695,405</u>	<u>14,925,244</u>
	Total	\$ 37,623,899	\$ 42,691,805
	FTE Total	423.05	413.30

FY 2007 OPERATING BUDGET SUMMARY

House <u>Bill</u>		FY 2006 Budget	FY 2007 TAFP
1006	<u>Natural Resources</u>		
	General Revenue	\$ 6,641,165	\$ 10,047,582
	Federal Funds	44,618,355	42,796,822
	Other Funds	<u>275,700,354</u>	<u>270,789,147</u>
	Total	\$ 326,959,874	\$ 323,633,551
	FTE Total	1,945.88	1,835.44
1006	<u>Conservation</u>		
	General Revenue	\$ 0	\$ 0
	Federal Funds	0	0
	Other Funds	<u>137,196,601</u>	<u>141,048,873</u>
	Total	\$ 137,196,601	\$ 141,048,873
	FTE Total	1,871.61	1,871.61
1007	<u>Economic Development</u>		
	General Revenue	\$ 35,509,307	\$ 43,885,380
	Federal Funds	163,032,156	158,714,384
	Other Funds	<u>73,135,407</u>	<u>79,762,332</u>
	Total	\$ 271,676,870	\$ 282,362,096
	FTE Total	1,432.54	1,326.37
1007	<u>Insurance</u>		
	General Revenue	\$ 0	\$ 0
	Federal Funds	600,000	600,000
	Other Funds	<u>13,848,508</u>	<u>13,038,692</u>
	Total	\$ 14,448,508	\$ 13,638,692
	FTE Total	217.50	202.50
1007	<u>Labor and Industrial Relations</u>		
	General Revenue	\$ 2,490,016	\$ 2,462,141
	Federal Funds	60,408,140	55,793,665
	Other Funds	<u>102,476,778</u>	<u>95,166,771</u>
	Total	\$ 165,374,934	\$ 153,422,577
	FTE Total	1,175.41	1,049.91
1008	<u>Public Safety</u>		
	General Revenue	\$ 64,597,706	\$ 63,966,596
	Federal Funds	73,980,467	81,482,031
	Other Funds	<u>248,704,784</u>	<u>275,041,211</u>
	Total	\$ 387,282,957	\$ 420,489,838
	FTE Total	4,868.36	4,948.76
1009	<u>Corrections</u>		
	General Revenue	\$ 516,768,254	\$ 586,127,292
	Federal Funds	8,139,981	8,587,041
	Other Funds	<u>42,840,685</u>	<u>43,632,887</u>
	Total	\$ 567,748,920	\$ 638,347,220
	FTE Total	11,312.02	11,270.23
1010	<u>Mental Health</u>		
	General Revenue	\$ 514,691,270	\$ 554,004,413
	Federal Funds	420,634,421	451,928,567
	Other Funds	<u>35,837,786</u>	<u>39,079,337</u>
	Total	\$ 971,163,477	\$ 1,045,012,317
	FTE Total	9,122.38	8,826.27

FY 2007 OPERATING BUDGET SUMMARY

House <u>Bill</u>		FY 2006 Budget	FY 2007 TAFP
1010	<u>Health</u>		
	General Revenue	\$ 214,031,019	\$ 228,301,096
	Federal Funds	564,482,938	567,288,385
	Other Funds	<u>51,777,756</u>	<u>26,767,085</u>
	Total	\$ 830,291,713	\$ 822,356,566
	FTE Total	2,080.45	1,949.61
1011	<u>Social Services</u>		
	General Revenue	\$ 1,251,364,386	\$ 1,415,767,492
	Federal Funds	3,330,554,576	3,439,130,872
	Other Funds	<u>1,359,204,109</u>	<u>1,322,144,638</u>
	Total	\$ 5,941,123,071	\$ 6,177,043,002
	FTE Total	8,524.11	8,284.58
1012	<u>Elected Officials</u>		
	General Revenue	\$ 42,922,819	\$ 46,224,199
	Federal Funds	75,071,079	38,181,093
	Other Funds	<u>44,248,716</u>	<u>45,933,279</u>
	Total	\$ 162,242,614	\$ 130,338,571
	FTE Total	948.02	967.02
1012	<u>Judiciary</u>		
	General Revenue	\$ 140,367,340	\$ 155,267,876
	Federal Funds	12,881,488	9,700,642
	Other Funds	<u>9,212,166</u>	<u>10,279,339</u>
	Total	\$ 162,460,994	\$ 175,247,857
	FTE Total	3,372.05	3,383.55
1012	<u>Public Defender</u>		
	General Revenue	\$ 28,463,282	\$ 30,493,582
	Federal Funds	125,000	125,000
	Other Funds	<u>1,968,134</u>	<u>1,972,829</u>
	Total	\$ 30,556,416	\$ 32,591,411
	FTE Total	560.13	560.13
1012	<u>General Assembly</u>		
	General Revenue	\$ 30,968,402	\$ 32,300,398
	Federal Funds	0	0
	Other Funds	<u>192,691</u>	<u>193,567</u>
	Total	\$ 31,161,093	\$ 32,493,965
	FTE Total	718.84	719.84
1013	<u>Statewide Leasing</u>		
	General Revenue	\$ 24,809,742	\$ 41,228,202
	Federal Funds	13,607,866	20,006,708
	Other Funds	<u>4,997,725</u>	<u>9,065,212</u>
	Total	\$ 43,415,333	\$ 70,300,122
	FTE Total	0.00	0.00
	<u>Total Operating Budget</u>		
	General Revenue	\$ 7,138,727,756	\$ 7,731,857,732
	Federal Funds	5,956,901,460	6,122,563,216
	Other Funds	<u>6,070,860,733</u>	<u>6,964,953,727</u>
	Total	\$ 19,166,489,949	\$ 20,819,374,675
	FTE Total	60,170.00	59,995.66

Supplemental and Capital Improvement Appropriations

	FY 2006 HB 1013 Supplemental	FY 2006 HB 1015-Utilicare Supplemental	TAFP FY 2006 Supplemental
<u>Supplemental Bills - HB 1013 and HB 1015</u>			
General Revenue	\$41,228,202	\$6,079,746	\$47,307,948
Federal Funds	\$20,006,708	\$0	\$20,006,708
Other Funds	\$9,065,212	\$0	\$9,065,212
Total	\$70,300,122	\$6,079,746	\$76,379,868

	FY 2006 Year 1 Appropriation	FY 2006 Year 2 Appropriation	TAFP FY 2007
<u>HB 18 (second year of 2 year bill)</u>			
<u>Capital Improvements-Maintenance and Repair</u>			
General Revenue	\$20,200,000	\$60,886,755	\$0
Federal Funds	\$3,025,002	\$3,025,000	\$0
Other Funds	\$15,116,060	\$10,641,001	\$0
Total	\$38,341,062	\$74,552,756	\$0

<u>HB 19 (second year of 2 year bill)</u>			
<u>Capital Improvements-Construction</u>			
General Revenue	\$12,455,015	\$1,245,510	\$0
Federal Funds	\$76,209,557	\$36,440,865	\$0
Other Funds	\$28,196,687	\$28,438,487	\$0
Total	\$116,861,259	\$66,124,862	\$0

<u>HB 1021 (new 2006 session)</u>			
<u>Capital Improvements-Construction</u>			
General Revenue	\$0	\$0	\$11,595,722
Federal Funds	\$0	\$0	\$9,264,000
Other Funds	\$0	\$0	\$10,351,475
Revenue Bond Proceeds	\$0	\$0	\$120,000,000
Total	\$0	\$0	\$151,211,197

SCS HCS HB 977 -- ELECTION OF MUNICIPAL OFFICERS

This bill allows fourth class cities with a population of 1,000 or less to elect aldermen at-large instead of dividing the city into wards.

SCS HCS HB 978 -- VIETNAM WAR MEDALLION PROGRAM

This bill establishes the Vietnam War Medallion Program. Every veteran who honorably served during this war is entitled to receive a Vietnam War medallion, medal, and a certificate of appreciation as long as the veteran is or was a legal resident of Missouri when he or she entered or was discharged from military service or at the time of his or her death. Any spouse or eldest living survivor of a deceased veteran who is entitled to the medallion may receive it on behalf of the deceased veteran.

The Adjutant General will administer the program. Applications for the medallion can be filed with the Office of the Adjutant General at any time after January 1, 2007. Medallions will be awarded until the supply is exhausted. The Adjutant General must notify the General Assembly when the supply of medallions is less than 100.

The bill creates the Vietnam War Veterans' Recognition Award Fund which will be administered by the Adjutant General. The fund will consist of gifts, donations, and funds transferred to the Veterans Commission Capital Improvement Trust Fund from any remaining balances in the World War II Veterans Recognition Award Fund and the Korean Conflict Veterans Recognition Award Fund. The moneys in the fund will be used to solicit designs and to manufacture and distribute the medallions.

HB 983 -- DISPLAY OF FLAGS

This bill requires the United States and the Missouri state flags to be flown at half-staff on all government buildings on September 11 of each year.

HB 984 -- DISPLAY OF THE POW/MIA FLAG

This bill encourages all government buildings, businesses, and Missouri residents to display the POW/MIA flag on Memorial Day, July 4, September 11, and Veterans Day.

SS SCS HCS HB 1026 -- FUNERAL PROTESTS

This bill makes it a class B misdemeanor to picket or protest in front of or about any location at which a funeral is held within one hour prior to the commencement of any funeral and until one hour following the cessation of any funeral. Any subsequent violation will be a class A misdemeanor. Currently, a person is prohibited from picketing or protesting in front of or about any church, cemetery, or funeral establishment.

The bill contains an emergency clause.

HCS HB 1053 -- ARREST RECORDS

Currently, access to official court records for persons arrested and charged, but the case is subsequently nolle prossed, dismissed, or the accused is found not guilty or imposition of sentence is suspended, is limited to law enforcement agencies, child care agencies, residential care facilities, and skilled nursing facilities. This bill authorizes access to official court records to victims of offenses against the family found in Chapters 566 and 568, RSMo. The official records will be released only for the purpose of using the records in the victim's own judicial proceeding.

HCS HB 1138 -- POLICE MILITARY LEAVE

This bill allows members of the Police Retirement System of Kansas City to receive service credit for time spent in military service during a war. Members are not required to pay member contributions for this service time.

SCS#2 HCS HB 1149 -- REGULATION OF WATER

This bill changes the laws regarding the regulation of water. In its main provisions, the bill:

(1) Authorizes the Board of Fund Commissioners, in addition to the amounts authorized prior to August 28, 2007, to issue bonds for grants and loans under Article III of the Missouri Constitution. The additional amounts authorized are \$10 million for water pollution control, improvement of drinking water systems, and storm water control; \$10 million for rural water and sewer; and \$20 million for storm water control in first classification counties and St. Louis City;

(2) Increases the maximum amount of fees that can be charged by the Department of Natural Resources in order to comply with the federal Safe Drinking Water Act. The department may charge lower fee amounts at its discretion. The authorization to impose fees is extended until September 1, 2012;

(3) Authorizes public water supply districts, sewer districts, and municipalities to install and maintain sewer and water lines in public highways, roads, and streets subject to the reasonable rules of the jurisdictional governing body. The Highways and Transportation Commission retains ultimate authority to monitor construction in the right-of-way of any state highway;

(4) Authorizes the Missouri Public Service Commission to provide listings required by Section 303(d) of the federal Clean Water Act to the federal Environmental Protection Agency. Procedures are specified in the bill and include public notice and judicial review requirements;

(5) Allows the director or the commission to require a bond for the construction of innovative, but unproven wastewater treatment facilities that are not approved by the federal government or another state's environmental regulatory agency;

(6) Extends the authorization for certain permit fees under Sections 644.053 and 644.053, RSMo, until December 31, 2009;

(7) Revises the definition of "point source" in Section 644.016 to exclude agricultural storm water discharges and flows from irrigated agriculture; and

(8) Exempts the new St. Louis baseball stadium from the equal number of men and women's restroom requirement until one year after its completion.

HCS HB 1180 -- SCHOOL TRANSPORTATION

This bill allows school districts that can demonstrate certain unsafe traffic conditions to provide transportation to students who live less than one mile from school without incurring an administrative penalty from the State Board of Education.

HCS HB 1182 -- JURISDICTION OF JUVENILE COURTS

This bill allows a parent, legal guardian, or other person having legal custody of a child who is at least 15 years of age to petition a court to extend the jurisdiction of a juvenile court until the child is 18 years old. These provisions will not apply to a child who has received a high school diploma or its equivalent.

Law enforcement officers, juvenile officers, school personnel, or court personnel will not be held civilly or criminally liable if their action or failure to act was based on a good faith belief that a child was not under the jurisdiction of a juvenile court.

HB 1204 -- DUTIES OF JAILERS

This bill authorizes jailers to serve arrest warrants on individuals who are already inmates in the custody of the facility in which the jailer is employed.

HB 1222 -- SPECIAL DEPUTY CORONERS

This bill allows a coroner or medical examiner to appoint a special deputy coroner or special deputy medical examiner in the event of a natural disaster, mass casualties, or other emergency. All appointees will be directly supervised by the coroner or medical examiner, will not serve more than 30 days, and will not receive compensation for services rendered. However, any necessary expenses incurred in the performance of official duties will be reimbursed.

The coroner or medical examiner making this appointment must file a record of the appointee's full name, address, date of birth, date of appointment, and date of termination with the county clerk.

HB 1234 -- NURSING STUDENT LOAN REPAYMENT PROGRAM

This bill changes the laws regarding the Nursing Student Loan Repayment Program. "Eligible student" is defined as a person who has been accepted as a full-time nursing student, rather than a person who has applied for admission. Currently, 25% of the loan is forgiven for each year of employment. The bill revises the repayment provision to allow forgiveness through employment without a specific schedule.

HB 1245 -- SCHOOL NURSES

This bill allows school nurses, upon authorization by the school board, to keep on hand and administer prefilled syringes of epinephrine in two dosage strengths. The nurse may administer the medication when, based on training, he or she believes a student is having an acute anaphylactic episode. The prescription must be written by a licensed physician listing the school district as the patient, include the nurse's name, and be filled at a licensed pharmacy.

HCS HB 1256 -- STATE OBSERVANCE

This bill establishes February 4 each year as "Rosa Parks Day" and makes it a state observance.

CCS SCS HCS HB 1270 & 1027 -- MISSOURI RENEWABLE FUEL STANDARD ACT

This bill establishes the Missouri Renewal Fuel Standard Act which requires, by January 1, 2008, that all gasoline sold in Missouri contain at least 10% agriculturally derived, denatured ethanol by volume unless exempted by the federal Environmental Protection Agency, by a rule promulgated by the Director of the Department of Agriculture or by an executive order issued by the Governor. Any regional waiver will be implemented so as not to give any region a competitive advantage or disadvantage. The provisions of the bill do not apply to premium gasoline or gasoline sold for use in aircraft.

If a distributor is unable to purchase fuel ethanol or fuel ethanol-blended gasoline at the terminal from a position holder

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or supplier at the same or a lower price as unblended gasoline, the purchase of unblended gasoline by the distributor and the sale of the gasoline at retail will not be a violation of the gasoline content requirement.

All fuel terminals in the state except terminals that only offer federal reformulated gasoline for sale must offer fuel ethanol, fuel ethanol-blended gasoline, and unblended gasoline.

Fuel retailers, wholesalers, distributors, and marketers are allowed to purchase fuel ethanol from any terminal, position holder, fuel ethanol producer, fuel ethanol wholesaler, or supplier. If a court of competent jurisdiction determines that this provision does not apply to or improperly impairs existing contractual relationships, it will apply only to future contractual relationships.

A Missouri qualified biodiesel producer must be at least 51% Missouri resident producer owned or use at least 80% Missouri feedstock in the production of biodiesel. The feedstock requirement may be waived by the department director on a month to month basis if the facility provides verification that an adequate supply of Missouri feedstock is not available.

The Missouri Qualified Biodiesel Incentive Fund will expire on December 31, 2009. Producers receiving incentive grants prior to the expiration date will be eligible to receive all remaining incentive grants as provided by the program's provisions.

HCS HB 1339 -- REAL ESTATE BROKERS

This bill changes the laws regarding real estate brokers. In its main provisions, the bill:

- (1) Defines "advertising";
- (2) Exempts Internet advertising communications from licensing requirements when the advertising of real estate is incidental to its operation;
- (3) Requires an applicant for a real estate broker's license to have worked as a real estate salesperson for at least two years instead of the current one year prior to making application for a license; and
- (4) Requires any notice of appeal for the revocation of a license to be sent to the Administrative Hearing Commission by certified mail.

HCS HB 1343 -- CIRCUIT COURT FACILITIES IN LEWIS COUNTY

This bill repeals the requirement that the City of Canton provide the resources and space for a circuit court division in Lewis County. The procedural responsibilities are also repealed.

The bill becomes effective December 31, 2006.

HCS HB 1344 -- FIREMEN'S RETIREMENT SYSTEM OF ST. LOUIS

This bill expands the investment options of the Firemen's Retirement System of St. Louis by allowing the board of trustees to invest in property of any kind, real or personal.

The bill contains an emergency clause.

SCS HCS HB 1380 -- MISSOURI PUBLIC-PRIVATE PARTNERSHIPS
TRANSPORTATION ACT

This bill establishes the Missouri Public-Private Partnerships Transportation Act and authorizes the Highways and Transportation Commission to form a public-private partnership to use private sector innovation and investments to build a new Mississippi River bridge in St. Louis.

Potential private partners may submit to the commission an unsolicited request for approval of a project to finance, develop, and/or operate the bridge.

The commission must establish a process to accept and review requests and may approve the project if it determines the bridge will improve the state highway system and is a needed addition. To promote and support the objectives of the United States foreign policy regarding terrorism, the commission must establish, prior to the receipt and review of any request for the approval or response to a request for proposal, a policy that prohibits a private partner from being eligible to enter into an interim or comprehensive agreement with the commission to finance, develop, and/or operate the project if the private partner, its subsidiaries, or affiliated entities are known to sponsor terrorism or aid the government of countries that are known to sponsor terrorism. The commission is not required to select the proposal which has the lowest price but may consider price, design, financing plan, and other factors like the

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qualifications, industry experience, and financial capacity of the potential private partner to determine the best value for the state.

The commission may execute an interim agreement with a tentatively approved private partner to begin specific compensable activities to further the development of the project. The commission, as a condition for final approval, must execute a comprehensive agreement with the private partner. The agreement requirements are specified in the bill. The commission may terminate negotiations with a potential private partner during the interim or comprehensive agreement phase as well as reject any and all requests for approval.

Any information submitted to the commission by potential private partners in requests for approval or responses to a request is a closed record under the state's Sunshine Law. After a comprehensive agreement is executed by a private partner and the commission, the agreement and other materials submitted to the commission by the private partner will be open records.

Private partners will have the power:

- (1) To contract with any public or private entity;
- (2) To lease or operate the project for any term as provided in the comprehensive agreement; and
- (3) To collect and enforce user fees.

A private partner will be required to provide:

- (1) Securities and warranties satisfactory to the commission;
- (2) Audited financial statements in a form acceptable to the commission;
- (3) Evidence of sufficient commercial general liability insurance and workers' compensation insurance; and
- (4) Performance and payment bonds acceptable to the commission.

The commission may:

- (1) Delegate necessary powers of the commission to carry out the provisions of the bill;
- (2) Promulgate rules;

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- (3) Make all final decisions concerning the performance and the acceptance of the work;
- (4) Impose a user fee;
- (5) Take any action to obtain federal, state, or local government or private sector assistance for a project and enter into contracts required for the assistance;
- (6) Lease the project and any interest it has in real property to the private partner; and
- (7) Exercise the powers of condemnation to acquire any real property required for the project.

The bill also contains language dealing with methods for collecting and enforcing user fees and tolls, tort liability caps, disadvantaged business enterprise participation plan requirements for a private partner, material defaults, and the commission's submission of the status report of any comprehensive agreement to the Joint Committee on Transportation Oversight, Governor, and General Assembly.

SCS HCS HB 1382 & 1158 -- SPECIAL LICENSE PLATES

This bill removes the one-set limit on certain special military license plates and future plates which may be authorized as long as each set of plates is issued for vehicles owned solely or jointly by the qualified applicant.

The bill allows for a special license plate for members of the Disabled American Veterans and a special license plate designated "SOME GAVE ALL" for parents or siblings who have had an immediate family member die in the line of duty while serving in the U. S. Armed Forces.

To obtain the Disabled American Veterans plate, individuals must present to the Department of Revenue a current photo identification, a valid Disabled American Veterans membership card, and payment of a \$15 fee in addition to the registration fee and any other documents required by law. No additional fee will be charged for the personalization of the plate.

To obtain the "SOME GAVE ALL" plate, a \$25 contribution to the Veterans of Foreign Wars, Department of Missouri is required in addition to other registration fees.

HB 1393 -- STATE HIGHWAY PATROL

This bill allows the Superintendent of the State Highway Patrol to establish guidelines under which members of the patrol may accept other secondary employment.

HB 1427 -- WAIVERS FOR DISSOLVED CORPORATIONS DUE TO MILITARY SERVICE

This bill allows the Secretary of State to waive reinstatement fees and procedures in the event a corporation was administratively dissolved due to a failure to file an annual registration report when the failure was due to the business owner's active military service. The Secretary of State will waive all late fees, cancel the certificate of dissolution, and reinstate the corporation in these circumstances.

SCS HB 1437 -- POISON AND RADIATION CONTROL

This bill abolishes the Advisory Committee on Poison Control and transfers its powers and certain duties to the Department of Health and Senior Services. The department in conjunction with local health agencies and health care providers will determine the region to be served by the Missouri Regional Poison Information Center, and the requirement that an annual report be submitted to the presiding officers of the General Assembly and the department is removed.

The Committee on Radiation Control, a subcommittee of the Missouri Atomic Energy Commission is also abolished.

SCS HCS HB 1440 -- INCOME TAX

This bill authorizes a checkoff on the Missouri individual and corporate income tax forms for donations for cervical cancer awareness and treatment. Moneys collected will be used by the Department of Health and Senior Services to provide information on cervical cancer, early detection, testing and prevention; to collect statistical information on cervical cancer; and to provide services and funding for early detection, testing, and prevention.

The bill also changes the way individual net operating losses are calculated and removes the restriction for specific depreciation deductions.

SCS HCS HB 1449 -- BACKGROUND CHECKS FOR TEACHERS

This bill specifies that if a teacher retires from a Missouri school and returns to the classroom within a year as a substitute or part-time teacher, the state will not require another background check. School districts will not be prohibited from requiring additional background checks.

SS#2 SCS HCS HB 1456 -- EMPLOYMENT SECURITY

This bill changes the laws regarding unemployment insurance. In its main provisions, the bill:

- (1) Allows the owner and operator of a motor vehicle which is leased or contracted with a driver to a for-hire common or contract motor vehicle carrier to operate under a certificate issued by the Department of Transportation;
- (2) Specifies that the state taxable wage base for calendar year 2008 will be \$12,000. In any year subsequent to 2008, if the average balance of the Unemployment Compensation Trust Fund for the previous four quarters less any outstanding federal Title XII advances or debt attributed to credit instruments or combination thereof is less than or equal to \$350 million, the taxable wage base for the following calendar year will increase by \$1,000 or if the fund balance is \$650 million or more, the taxable wage base for the next calendar year will decrease by \$500, but in no case will the taxable wage base exceed \$12,500;
- (3) Specifies that for initial unemployment compensation claims filed during calendar year 2006 and 2007, the maximum weekly benefit amount is 4% of the wages paid to the worker during the highest quarter of the worker's base period;
- (4) Specifies that for initial unemployment compensation claims filed during or after calendar year 2008 the maximum weekly benefit amount is 4% of the average quarterly wages paid to the worker during the two highest quarters of the worker's base period;
- (5) Specifies that for initial claims filed during calendar year 2006 the maximum weekly benefit amount will not exceed \$270, not exceed \$280 in calendar year 2007, and not exceed \$320 in calendar year 2008;
- (6) Requires the directors of the Division of Employment

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Security and the Division of Workforce Development within the Department of Labor and Industrial Relations to submit to the Governor, the Speaker of the House of Representatives, and the President Pro Tem of the Senate by October 15, 2006, a report on recommendations for improving work search verification and claimant re-employment activities. For each succeeding year, the report will be due by December 31;

(7) Specifies that the test for alcohol or controlled substances as evidence to be included in the administrative record if the test was conducted by a laboratory certified by the United States Department of Health and Human Services or another certification organization whose minimum standards meet the same standards;

(8) Expands the ways by which an employer may notify employees that a positive test for alcohol or controlled substances may result in the suspension or termination of employment;

(9) Specifies that the results of any alcohol or controlled substance test are admissible if the employer's policy clearly states that an employee may be subject to random, pre-employment, reasonable suspicion, or post-accident testing;

(10) Specifies that an employer may require a pre-employment test for alcohol or controlled substances as a condition of employment and the test are admissible if the employer's policy clearly states that an employee may be subject to random, pre-employment, reasonable suspicion, or post-accident testing;

(11) Specifies that all methods of testing, criteria for testing, chain of custody for samples or specimens and due process for employee notification procedures do not apply to a claimant subject to the provisions of any collective bargaining agreement if the minimum standards of the conducting laboratory meet or exceed the minimum standards of the United States Department of Health and Human Services;

(12) Requires that a confirmation test include a split specimen test for purposes of determining employee misconduct;

(13) Specifies that when applying the provisions of the laws regarding employment security, it is the intent of the General Assembly to reject and abrogate previous case law interpretations of misconduct connected with work requiring a finding of evidence of impaired work performance;

(14) Specifies that an order to apply for or accept available suitable work may be issued by a deputy of the Division of

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Employment Security or the designated staff of an employment office;

(15) Requires a claimant who is disqualified from receiving unemployment benefits on a second or subsequent occasion within the base period or within a subsequent base period to earn wages at least six times the claimant's weekly benefit amount for each disqualification;

(16) Specifies that absenteeism or tardiness constitutes a rebuttable presumption of misconduct;

(17) Requires the division to cross-check unemployment compensation applicants and recipients with the federal Social Security Administration's data at least weekly;

(18) Assesses an employer a credit instrument and financing agreement repayment surcharge calculated as a percentage of the employer's contribution due for each filing period during the preceding calendar year, in addition to all other contributions due if the Unemployment Compensation Trust Fund is utilizing money advanced by the federal government or the proceeds from credit instruments, financial agreements, or a combination thereof;

(19) Allows the division to use the services of collection agencies to collect any debts;

(20) Allows any party to a case the right to enter a motion to reconsider a determination by the appeals tribunal;

(21) Increases the maximum maturity time period of a credit instrument offered by the Board of Fund Financing from three years to 10 years after issuance;

(22) Requires the division to recover overpayments of benefits through billings, setoffs against state and federal income tax refunds, and intercepts of lottery winnings; and

(23) Specifies that shared-work benefits may not be denied in any week containing a holiday for which the holiday earnings are committed to be paid by the employer unless the shared-work benefits are for the same hours in the same day as the holiday earnings.

The bill also adds provisions regarding the war on terror veteran employment rights and benefits which:

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- (1) Specifies that a war on terror veteran is entitled to a maximum weekly benefit equal to 8% of the wages earned during the highest earnings quarter of the five quarters prior to the veteran's deployment. The maximum weekly benefit amount may not exceed \$1,153.64 adjusted annually by the federal Consumer Price Index. A veteran may receive benefits for a maximum of 26 weeks;
- (2) Requires an employer who is found by a court to have terminated, demoted, or taken an adverse employment action against a war on terror veteran due to the veteran's absences while deployed to be subject to an administrative penalty in an amount determined by the Director of the Division of Employment Security, but not to exceed \$25,000;
- (3) Specifies that a veteran will not be considered to have voluntarily quit if he or she is not offered the same wages, benefits, and similar work schedule upon his or her return to work;
- (4) Creates the War on Terror Unemployment Compensation Fund which will consist of administrative penalties paid by employers found in violation of these provisions; and
- (5) Specifies that moneys in the fund will be used solely for the administration of the provisions regarding the war on terror veteran unemployment compensation.

SCS HCS HB 1485 -- TAX CREDIT FOR PREGNANCY RESOURCE CENTERS AND CHILDREN IN CRISIS

This bill authorizes an income tax credit for contributions to centers providing certain social services.

PREGNANCY RESOURCE CENTERS

The bill authorizes an income tax credit for 50% of contributions to qualified pregnancy resource centers. Pregnancy resource centers are nonresidential facilities that provide assistance and support to women with crisis or unplanned pregnancies and do not provide abortions or referrals for abortion services.

The tax credit may be taken against income tax, corporate franchise tax, insurance premium tax, financial institutions tax, and express company tax liability. The tax credit is not refundable, but can be carried forward and claimed for up to four taxable years.

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The maximum credit a taxpayer can claim is \$50,000 per year, and the minimum contribution must be at least \$100. The statewide maximum of tax credits that can be taken in any one year is \$2 million. The Department of Social Services is to designate the centers and apportion the credits when the applications exceed the statewide cap.

CHILDREN IN CRISIS

The bill authorizes an income tax credit for up to 50% of contributions to an entity which receives funding from the Court Appointed Special Advocate Fund, a child advocacy center, or a crisis care center. To receive the credit, donations must be in excess of \$50, and the qualified agency receiving the contribution will issue a contribution verification to the taxpayer to be attached to his or her income tax return.

In order to become a qualified agency, each year prior to December 31, an agency must apply to the Department of Social Services to verify its status. By February 1 of each year, the department will provide a list of qualified agencies to the Department of Revenue.

The children in crisis tax credit has a cumulative cap equal to the unclaimed portion of the resident adoption tax credit. The amount available will be equally divided among the agencies, and any unused portion not used by an agency will be available to the remaining agencies. After all the children in crisis tax credits have been claimed, any remaining unclaimed portion of the reserved allocation will be made available for non-resident adoption tax credits claims. The bill allocates \$2 million of the tax credits for the adoption of special needs children who are residents of this state. The cumulative amount of tax credits that may be claimed for nonrecurring adoption expenses will not be less than \$4 million but may be increased by appropriation.

The bill removes the requirement that the Director of the Department of Revenue submit an annual report to the General Assembly on the income levels of taxpayers claiming the tax credit.

Applications for the adoption credit for special needs children must be filed between July 1 and April 15 of each fiscal year. The credit is not refundable, but can be carried forward and claimed for up to five consecutive years.

The provisions of the bill will expire six years from the effective date.

HB 1488 -- MEMORIAL HIGHWAY

This bill designates the portion of Interstate 55 in St. Louis County between Butler Hill Road and Meramec Bottom Road as the "Officer Thomas G. Smith Jr. Memorial Highway."

HB 1491 -- MEDICAL ASSISTANCE

This bill requires the Family Support Division within the Department of Social Services to determine whether an individual who is applying for Missouri Medicaid Program benefits is eligible for federal medical services from the Missouri Veterans Commission. If an applicant or recipient is eligible for the federal medical services, the division must urge the person to utilize these benefits. The division will consult with the commission regarding a method that can be used to determine whether an individual who receives state medical assistance is eligible for the federal benefits. The bill does not require an individual to exhaust any federal veterans' benefits prior to receiving state medical assistance.

HB 1494 -- LICENSING OF ENGINEERS AND LAND SURVEYORS

This bill authorizes the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to issue land surveying and engineering licenses to persons meeting certain criteria specified in the bill.

SCS HB 1509 -- DIVISION OF FIRE SAFETY

This bill expands the duties of the State Fire Marshal in the Division of Fire Safety within the Department of Public Safety to include the voluntary training of inspectors and public or private employees or volunteers in the field of emergency response, rescue, and fire prevention or preparedness. The State Fire Marshal is required to establish and maintain a voluntary training and certification program based upon nationally recognized standards and is authorized to promulgate rules and regulations in order to administer the provisions of the bill.

HCS HB 1511 -- EARLY CHILDHOOD EDUCATION

This bill requires the Department of Elementary and Secondary Education to develop, by June 30, 2007, standards for early childhood education which will be applicable to public preschool programs that receive federal Title I funds or Missouri preschool project funds. The standards must include, among other items, an assessment of needs; a focus on cognitive, language, physical, and social/emotional development; and highly qualified, properly certified teachers. In developing the standards, the department must involve representatives of many groups, including the business community, existing early childhood programs, school districts, and private and faith-based providers. Districts that offer fee-based programs may continue to offer them, in compliance with federal law.

HCS HB 1515 -- COLLABORATIVE PRACTICE REPORTING

This bill requires physicians to report to the State Board of Registration for the Healing Arts any collaborative practice or physician assistant agreement entered into within 30 days. Physicians are also required to provide the board with all their collaborative practice agreements when renewing their license. This information will be available to the public.

The board is authorized to conduct random reviews of these agreements to determine whether licensees are in compliance with the provisions of the bill.

HCS HB 1552 -- HOMELESS VETERANS

This bill allows a homeless veteran to use the post office box or voice mail address of certain charitable or religious organizations on applications for federal or state assistance, as long as the organization is willing to provide an address to the homeless veteran for his or her use. Only organizations that have been providing legitimate services for 10 or more years are eligible to provide these services.

HCS HB 1559 -- DONATION OF CANNED OR PERISHABLE FOOD

This bill adds grocery and convenience stores to the list of donors that in good faith can donate any canned or perishable food to a bonafide charity or nonprofit organization for free distribution without being subject to a criminal penalty or civil damages arising from the condition of the food, unless an injury is caused by the gross negligence, recklessness, or intentional misconduct of the donor.

SCS HB 1601 -- EMERGENCY MEDICAL TREATMENT

This bill specifies that informed consent is not required for research programs or experimental medical procedures for certain patients subject to a life-threatening emergency when conducted in accordance with certain federal regulations and when the institutional review board has approved the research activity.

The bill contains an emergency clause.

HCS HB 1617 & 1374 -- RECREATIONAL USE OF LAND

This bill changes the restrictions regarding the liability of a landowner who invites or allows individuals to use his or her land for recreational purposes to include state-administered recreational access programs.

HB 1687 -- DONATION OF PRESCRIPTION DRUGS

This bill allows drugs donated to the Prescription Drug Repository Program that are not used or accepted by any pharmacy, hospital, or non-profit clinic in this state to be distributed to out-of-state charitable repositories.

HB 1688 -- ECONOMIC ACTIVITY TAX REVENUES

This bill excludes any sales tax imposed by Jackson County for the purpose of sports stadium improvement from the additional 50% economic activity tax revenue allocation for tax increment financing projects.

CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 -- SEXUAL
OFFENDERS

This bill changes the laws regarding sexual offenders. In its main provisions, the bill:

(1) Requires the State Highway Patrol to operate a toll-free telephone number to disseminate information regarding individuals registered as sexual offenders;

(2) Requires sexual offenders to provide law enforcement officials the date of their birth; their physical description and that of their vehicle; nature and dates of the offenses requiring the offender to register; and the date in which the offender was released from the Department of Health and Senior Services, prison, or jail or placed on parole, supervised release, or probation;

(3) Requires a licensed health care professional who delivers a baby or performs an abortion to report prima facie evidence of statutory rape or evidence that a patient was the victim of a sexual offense;

(4) Establishes procedures for search warrants and subpoenas issued for records that are in the actual or constructive possession of a foreign corporation that provides electronic communication services, where those records would reveal the identity of the customers using the service;

(5) Allows the Board of Probation and Parole to access information on the home computer of a registered sexual offender;

(6) Expands the scope of defendants to whom bail is unavailable to include defendants who have pled guilty to or been found guilty of any sexual offense under Chapters 566, 568, or 573, RSMo, where the victim was younger than 17 years of age when the crime was committed. Currently, bail is not available to defendants under a sentence of death or imprisonment for life;

(7) Adds child kidnaping to the list of dangerous felony offenses;

(8) Increases the term of imprisonment for a persistent sexual offender from not less than 30 years to the duration of his or her natural life;

(9) Specifies that consent is not an affirmative defense to any offense in Chapter 566 if the alleged victim is younger than 12 years of age;

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(10) Increases the penalty from a minimum of five years' imprisonment to a minimum of 30 years for the crimes of forcible rape and forcible sodomy if the victim is younger than 12 years of age. No person found guilty of or pleading guilty to forcible rape, attempted forcible rape, forcible sodomy, or attempted forcible sodomy will be granted a suspended imposition of sentence or suspended execution of sentence;

(11) Creates the crimes of attempting to commit statutory rape and attempting to commit statutory sodomy;

(12) Requires that a person who commits child molestation in the first degree, the victim is younger than 12 years of age, and the person has previously been convicted of a sexual offense, inflicts a serious injury, or displays a deadly weapon will be ineligible for probation or parole;

(13) Expands the crime of sexual contact with a student to include sexual contact with a student of a public school while on public school property by a student teacher, employee of the school, volunteer of the school or of an organization working with the school on a project or program, or a person employed by an entity that contracts with a public school district to provide services;

(14) Eliminates the act of having deviate sexual intercourse with a person of the same sex from the crime of sexual misconduct in the first degree;

(15) Expands the crime of sexual contact with a prisoner or offender to include a probation and parole officer who has sexual intercourse or deviate sexual intercourse with an offender who is under the direct supervision of the officer;

(16) Specifies that no sexual offender will be present or loiter within 500 feet of the real property of any school or in any conveyance owned, leased, or contracted by a school when persons younger than 18 years of age are present unless the offender is a parent, legal guardian, or custodian of the person and has obtained permission from the school administration;

(17) Increases the penalty for the crimes of enticement of a child and attempting to commit enticement of a child to a term of imprisonment of no less than five years and no more than 30 years;

(18) Creates the crime of sexual trafficking of a child younger than 12 years of age, a felony punishable by imprisonment for

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life without eligibility for probation or parole until the defendant has served at least 25 years of each sentence;

(19) Allows a court to order the dissolution, reorganization, suspension, or revocation of any license or charter surrender of any corporation who has been found guilty of or has pled guilty to certain sexual offenses;

(20) Creates the crime of promoting travel for prostitution, a class C felony;

(21) Prohibits travel agencies or charter tour operators from selling, advertising, or offering to sell travel services, tourism packages, or activities that solicit, encourage, or facilitate travel for the purpose of engaging in prosecution. Violation of this provision will result in the revocation of the articles of incorporation of the travel agency or charter tour operator;

(22) Creates the crime of aiding a sexual offender, a class D felony;

(23) Removes any person found guilty of or who pled guilty or nolo contendere to nonsexual child abuse or felonious restraint or kidnaping when the victim was a child and he or she was the parent or guardian of the child from the sexual offender registry;

(24) Allows any person found guilty of or who pled guilty or nolo contendere to promoting prostitution in the second or third degree, committing a public display of sexual material, or committing statutory rape in the second degree where no physical force or threat of physical force was used in the commission of the crime to petition the court for the removal of his or her name from the sexual offender registry after 10 years have passed from the date he or she was required to register;

(25) Allows any person found guilty of or who pled guilty or nolo contendere to a sexual offense and who was 19 years of age or younger and the victim was 13 years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the crime to petition the court for the removal of his or her name from the sexual offender registry after two years have passed from when the offender was found guilty or pled guilty or nolo contendere;

(26) Requires a person seeking removal from the sexual offender registry to notify the prosecuting attorney in the circuit court

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in which the petition is filed. Failure to notify the prosecuting attorney will result in an automatic denial of the person's petition. If the petition is denied by the judge, the person must wait at least 12 months before petitioning the court again;

(27) Requires all sexual offender registrants to provide an updated photograph of himself or herself in the month of his or her birth to the chief law enforcement agency in the county of his or her residence;

(28) Specifies that a person who commits the crime of failing to register or failing to comply with the registration requirements will be guilty of a class A misdemeanor. A second offense will be a class D felony, and a third offense will be punishable by a term of imprisonment of not less than 10 years and not more than 30 years;

(29) Allows the court to conditionally release a person civilly committed as a sexually violent predator if that person's mental abnormality has changed so that the person is not likely to commit acts of sexual violence if released;

(30) Establishes a panel which will create a program to award grants to multijurisdictional Internet cyber crime law enforcement task forces and other law enforcement agencies for the salaries of newly hired detectives and computer forensic personnel who investigate Internet sex crimes against children. The panel will include the Director of the Department of Public Safety, two members appointed by the director from a list of nominees submitted by the Missouri Police Chiefs Association, two members appointed by the director from a list of nominees submitted by the Missouri Sheriffs' Association, two members of the State Highway Patrol appointed by the director from a list of nominees submitted by the Missouri State Troopers Association, one member of the House of Representatives appointed by the Speaker, and one member of the Senate appointed by the President Pro Tem. This provision will expire six years from the effective date; and

(31) Requires the Department of Corrections to notify the State Highway Patrol of any offender who is required to be electronically monitored.

The bill contains an emergency clause.

HCS#2 HB 1703 -- INSURANCE POOLING

This bill specifies that three or more political subdivisions forming a business entity for the purpose of providing liability and other insurance are not to be considered an insurance company or insurer.

SCS HB 1707 -- LOCAL OFFICIALS

Currently, the Recorder of Deeds for Jackson County must have a Kansas City office in which to record all instruments affecting property within a certain area. This bill allows those instruments to be recorded at the county seat in Independence.

The bill also allows the State Registrar within the Department of Health and Senior Services to appoint a person employed by a city health agency as a local registrar.

HB 1715 -- CORPORATIONS

This bill changes the procedure for the sale of stock shares by dissenting shareholders of a corporation which is a party to a merger or consolidation. To be eligible, a shareholder must:

- (1) Own stock of the corporation undergoing a merger or consolidation as of the date of the shareholder meeting when the merger plan was submitted to a vote;
- (2) File a written objection to the merger before or in the meeting at which the merger is submitted to a vote;
- (3) Vote in opposition to the merger proposal; and
- (4) File a written demand with the new corporation for payment of the fair value of the shares within 20 days after the merger.

Any shareholder not satisfying the above requirements will be conclusively presumed to have consented to the merger. Corporations are required to provide notice to each shareholder owning stock as of the record date for the meeting at which the merger is submitted to a vote, whether or not the shareholder is entitled to vote.

HB 1732 -- SELF-ADMINISTERED MEDICATIONS BY STUDENTS

Currently, the self-administration of an asthma medication inhaler by students is permissible under certain conditions. This bill changes the laws to include auto-injectible epinephrine for anaphylactic shock as a permissible self-administered medication. The bill specifies the necessary conditions for self-administration including a written treatment plan, proof that a student has demonstrated the skill required, and a signed liability release for the school.

HCS HB 1739 -- AGRICULTURAL LOANS

This bill defines "vermiculture operation" as a Missouri business entity engaged in raising earthworms under a controlled environment and makes them eligible for certain agricultural loan programs including Agricultural Linked Deposit loans and single-purpose animal facility loan guarantees.

HCS HB 1759 -- ATHLETIC TRAINERS

This bill requires that after August 28, 2006, applicants for licensure as athletic trainers must pass the examination given by the National Athletic Trainers Association Board of Certification or its successor agency. Currently, the State Board of Registration for the Healing Arts administers the licensing examination.

The bill also repeals certain academic and experience requirements necessary for licensure as an athletic trainer.

SCS HCS HB 1762 -- DISABLED LICENSE PLATES AND PLACARDS

This bill exempts a person who presents proof of permanent disability from the United States Veterans Administration from the four-year certification requirement for renewal of disabled license plates or placards. Initial applications must include a physician's statement confirming the individual's disability.

Advanced practice registered nurses licensed pursuant to Chapter 335, RSMo, are allowed to issue a physician's statement for disabled license plates and placards.

SCS HCS HB 1787 -- GUARD AT HOME PROGRAM

This bill establishes the Guard at Home Program to assist the spouse of an active-duty national guardsman or reservist by addressing his or her immediate needs and employment in order to keep the family from falling into poverty while the primary income earner is on active duty and to help returning troops find work in situations where an individual needs to rebuild business clientele or an individual's job was eliminated while on deployment.

Subject to appropriations, the Department of Economic Development will hire a contractor to administer the program and ensure that the contractor meets certain qualifications specified in the bill, including the ability to provide a 20% match to the program through indirect or direct expenditures. The department will develop the criteria of the contract based on the following:

(1) Eligible program participants will be families where:

(a) The primary income earner was called to active duty in defense of the United States for more than four months;

(b) The primary income is no longer available;

(c) The family is experiencing a significant hardship due to financial burdens; and

(d) The family has no outside resources available to assist with these hardships; and

(2) Services may be provided to families in order to alleviate an immediate crisis and to provide economic stability while the primary income is not available due to the active military commitment. The bill specifies some of the services which may be provided.

The department will report to the President Pro Tem of the Senate and the Speaker of the House of Representatives on the operation and progress of the program by January 1, 2007.

The bill becomes effective July 1, 2006, and the department must make every effort to ensure that participating families are being served by August 1, 2006.

The bill contains an emergency clause.

HB 1827 -- GROUP HEALTH INSURANCE

For health insurance plans issued to an association covering both small and large employers, this bill allows the difference in premium rates charged between similar classes of business to exceed 20% if the Director of the Department of Insurance determines it would be in the public's interest. The director may also approve additional classes of business if the plan is underwritten and rated as a single employer, has a uniform health plan design, guarantees issuance to all members, and complies with all other federal and state insurance requirements. The bill also reduces the membership requirement for policies issued to associations from 100 to 50 members.

SS SCS HCS HB 1837 -- MEDICAL MALPRACTICE INSURANCE AND ENFORCEMENT POWERS OF THE DEPARTMENT OF INSURANCE

This bill changes the laws regarding medical malpractice insurance and the enforcement powers of the Department of Insurance.

MEDICAL MALPRACTICE INSURANCE

The bill:

- (1) Allows limited liability companies, corporations, limited liability partnerships, partnerships, and other entities formed for the practice of law or medicine to become members of an association providing malpractice insurance to its members;
- (2) Requires the malpractice association's articles of association and bylaws to specify and define the types of assessments its members and former members might have to pay to cover losses and expenses incurred by the association;
- (3) Makes associations writing malpractice insurance subject to reporting, notification, and rating requirements;
- (4) Requires the Director of the Department of Insurance to establish risk reporting categories and reporting standards for insurers to annually report medical malpractice insurance premiums, losses, exposures, and other information the director may require. The director will compile this information in a manner appropriate for assisting medical malpractice insurers in developing future base rates, schedule rating, or individual risk rating factors and other aspects of their rating plans;

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(5) Requires the director to annually establish and publish a market rate reflecting the mean of the actual rates charged for each risk reporting category and publish comparisons of the base rates charged by each insurer;

(6) Allows the director to issue administrative orders and seek other remedies specified in the bill to assure compliance for violations of the provisions relating to reporting medical malpractice information;

(7) Prohibits medical malpractice insurers from charging rates that are excessive, inadequate, or unfairly discriminatory. Rates will be based upon Missouri loss experience if available, not experience from other states unless the failure to do so will jeopardize the financial stability of the insurer; and

(8) Prohibits an insurer from increasing malpractice insurance rates by more than 15% or refusing to renew a policy without at least 60 days' written notification unless requested by the insured or due to changes in the insured's practice or risk characteristics. Insurers cannot cease issuing policies in this state without 180 days' written notice to the insured and the director. If an insurer fails to give notice, the policyholder has the right to continue coverage under the policy.

ENFORCEMENT OF VIOLATIONS OF THE STATE INSURANCE CODE

The bill:

(1) Allows the director, upon determining that a person has violated or attempted to violate provisions of the insurance laws, to order the following relief:

(a) An order directing the person to cease and desist from engaging in the act, practice, omission, or course of business;

(b) A curative order or order directing the person to take other action necessary to comply with the insurance laws;

(c) Order a civil penalty or forfeiture; and

(d) Award reasonable costs of the investigation;

(2) Authorizes fines of up to \$100,000 and imprisonment of up to 10 years if a person violates a cease and desist order. Currently, a person may be punished by a maximum \$1,000 fine and up to one year in jail;

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(3) Allows the director to suspend or revoke a corporation's or insurer's certificate of authority for violating insurance laws or for a felony or misdemeanor conviction. The director must provide 30 days' notice and a hearing, if requested, before revocation;

(4) Allows the director to seek redress in county circuit courts. The court can issue injunctions, freeze assets, or take other action as specified. A consumer restitution fund is created for preserving and distributing disgorgement or restitution funds obtained through enforcement procedures to aggrieved consumers;

(5) Classifies various violations of insurance laws into five categories from level one through level five. Maximum fines are established at each level with level one being the least and level five the highest. All fines collected will go to fund public schools as required by Article IX, Section 7, of the Missouri Constitution.

HEALTH CARE STABILIZATION FUND FEASIBILITY BOARD

The bill creates the Health Care Stabilization Fund Feasibility Board within the Department of Insurance to analyze medical malpractice data to determine whether a health care stabilization fund should be established in Missouri. As part of its duties, the board will conduct a comprehensive study on whether a health care stabilization fund is feasible within Missouri, or specified geographic regions thereof, or for specific medical specialties. If a health care stabilization fund is feasible within Missouri, the report will also recommend to the General Assembly on its structure, design, and funding.

The board will consist of 10 members including:

(1) The Director of the Department of Insurance or his or her designee;

(2) Two members of the Senate appointed by the President Pro Tem with no more than one from any political party;

(3) Two members of the House of Representatives appointed by the Speaker with no more than one member from any political party;

(4) One member who is licensed to practice medicine as a medical doctor in Missouri and is on a list of nominees submitted to the director by an organization representing Missouri's medical professionals;

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(5) One member who practices medicine as a doctor of osteopathy and is on a list of nominees submitted to the director by an organization representing Missouri's doctors of osteopathy;

(6) One member who is a licensed nurse in Missouri and is on a list submitted to the director by an organization representing Missouri's nurses;

(7) One member who is a representative of Missouri's hospitals and is on a list of nominees submitted to the director by an organization representing Missouri's hospitals; and

(8) One member who is a physician and who is on a list submitted to the director by an organization representing Missouri's family physicians.

The director will appoint the members of the board, other than the General Assembly members, no later than January 1, 2007. The board will meet at least quarterly and submit its final report and recommendations regarding the feasibility of a health care stabilization fund to the Governor and the General Assembly by December 31, 2010. The board is also required to submit annual reports on its progress, and the board will expire December 31, 2010.

HB 1857 -- COMMENCEMENT OF PROSECUTION

This bill specifies that a prosecution is commenced for a misdemeanor or infraction when the information is filed. A prosecution for a felony is commenced when the complaint is filed.

HB 1858 -- POWER TO DISMISS CHARGES

This bill authorizes the prosecuting or circuit attorney to dismiss a complaint, information, or indictment without the consent of the court.

CCS SS HCS HB 1900 -- ETHICS

This bill changes the laws regarding lobbyist reporting requirements and campaign contribution disclosures for public officials. In its main provisions, the bill:

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(1) Requires "elected local government official lobbyists," defined as persons specifically employed to influence actions by the officials of specified political subdivisions with operating budgets of over \$10 million, to register in the same manner as other lobbyists and provide details of their expenditures according to specific criteria;

(2) Prohibits lobbyists from paying for out-of-state travel for members of the General Assembly or their staff, spouses, or dependent children unless the expenditure is approved by the Administration and Accounts Committee of the House of Representatives or the Administration Committee of the Senate;

(3) Requires lobbyists to include expenditures for all members of either a majority or minority caucus of the General Assembly in their monthly reports to the Missouri Ethics Commission and requires that expenditures not made to the entire House of Representatives, Senate, or majority and minority caucuses be attributed to individual legislators;

(4) Revises the procedures for filing complaints under Section 105.957, RSMo, involving lobbying, financial interest disclosure, and campaign finance disclosure and specifies that those filing false complaints may be subject to civil litigation;

(5) Requires the executive director of the commission to notify candidates and the treasurer of a campaign committee of the failure to file campaign disclosure reports and the fines that will be assessed. Notice will no longer be required for deputy treasurers;

(6) Prohibits those who have been convicted of or have pled guilty to a felony from holding elective office and anyone who owes the state personal income or property tax or is a past or present corporate officer of a fee office that owes taxes from running for office unless the tax is currently in dispute or is paid within a specified period of time;

(7) Prohibits the formation of candidate committees for the offices of Speaker of the House of Representatives and President Pro Tem of the Senate and requires candidate committees to be formed 60 days prior to an election;

(8) Removes the maximum contribution limits per election year for most statewide elected offices by repealing parts of Section 130.032 and prohibits any candidate for statewide office, except candidates for a special election, from accepting campaign contributions during the legislative session;

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(9) Prohibits the donation of money by political party committees to candidate committees, continuing committees, or other political party committees and requires the disclosure of campaign contributions from political, campaign, candidate, or continuing committees in the financial interest statements required by Section 105.485;

(10) Requires disclosure reports to be electronically filed with the commission;

(11) Requires the commission to post on its web site the expenditures for and against candidates that are required to be disclosed under Sections 130.041 and 130.050;

(12) Revises certain deadlines for filing disclosure reports under Sections 130.046 and 130.050;

(13) Prohibits the filing of a complaint under Section 130.054 with the commission within 15 days of a primary or general election in which the candidate being accused of a campaign finance or disclosure violation is running for office; and

(14) Requires the commission by January 1, 2007, to issue a report to the General Assembly on their recommendations on regulating political telephone solicitations.

CCS SS SCS HCS HB 1944 -- EMINENT DOMAIN

This bill changes the laws regarding the use of eminent domain. The power of eminent domain will be vested in governmental entities or agencies whose governing body is elected or appointed by elected officials, private utility companies, public utilities, rural electric cooperatives, municipally owned utilities, pipelines, railroads, and common carriers. In its main provisions, the bill:

(1) Specifies that private property may only be taken through the use of eminent domain after determining blight of the property or the taking is for a public use and not without just compensation. Compensation will be determined by considering the comparable sales in the area, current use of the property, fair market value of the property based on its highest and best use, availability of comparable property in the area, and heritage value of the property;

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(2) Defines "fair market value," "heritage value," "farmland," and "homestead taking";

(3) Specifies that farmland will not be determined to be blighted;

(4) Requires that for all condemnations filed after December 31, 2006, just compensation for condemned property will be determined by fair market value, homestead taking (an amount equal to fair market value multiplied by 125%), or heritage taking (an amount equal to fair market value multiplied by 150%);

(5) Specifies that all displaced residential individuals eligible for assistance will receive a \$1,000 fixed moving expense payment or the actual reasonable costs of relocation not including the cost of replacement property. All displaced businesses eligible for relocation assistance can choose to receive a \$3,000 fixed moving expense and up to an additional \$10,000 for reestablishment purposes or the actual costs of moving and up to an additional \$10,000 for reestablishment;

(6) Requires after the filing of the commissioners' report, the circuit judge presiding over the condemnation and whether a homestead taking has occurred and will determine whether heritage value is to be paid to the property owner;

(7) Specifies that at least 60 days prior to initiating negotiations to acquire a property interest, the condemning authority must give actual notification to the owner of record identifying the interest in real property to be acquired; the purpose for which the property is being condemned; and a statement of the property owner's rights including the right to seek legal counsel, to make a counteroffer and engage in negotiations, to obtain the landowner's own appraisal, to contest the condemnation proceeding, and to have just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately, a jury. The jury will consider the same factors as those used for determining just compensation when blighted property or property for a public use is taken. If the property owner employs an appraiser to appraise the property to be acquired, the appraisal must be delivered to the condemning authority within 60 days;

(8) Specifies that a written offer must be presented to the property owners of record at least 30 days before filing a condemnation petition;

(9) Requires that before a condemning authority may proceed with

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condemnation, there must be a court determination that proper and timely notice was given to all property owners, an initial offer no lower than the appraisal amount was given, and that the landowner was given an opportunity to obtain his or her own appraisal from a state-licensed or state-certified appraiser of his or her choice. If the court finds good faith negotiations have not taken place, the court must dismiss the condemnation petition and order the condemning authority to reimburse the owner for his or her actual reasonable attorney fees and costs;

(10) Requires the court to order payment of the landowner's legal fees and expenses and award damages accruing as a direct and proximate result of the pendency of the condemnation if the condemning authority abandons condemnation prior to the final judgment of the court;

(11) Specifies that no condemning authority can acquire private property through the use of the power of eminent domain for solely economic development purposes and defines "economic development" to mean a use of a specific piece of property which would provide an increase in the tax base, tax revenues, or employment for any political subdivision;

(12) Requires the condemning authority to individually consider each parcel of property in an area with regard to whether the property is blighted. If the condemning authority finds a preponderance of the area is blighted, it may proceed with the condemnation of any parcel in the area;

(13) Specifies that property interests acquired through eminent domain by private utility companies, public utilities, rural electric cooperatives, municipally owned utilities, or common carriers are fixed and determined by the particular use for which the property was acquired. Any expanded use of the property will require additional eminent domain proceedings to acquire the additional rights;

(14) Establishes an Office of Ombudsman in the Office of Public Counsel within the Department of Economic Development to assist citizens seeking information regarding the condemnation process and procedures;

(15) Specifies that blanket easements will be void as against public policy and will be unenforceable;

(16) Allows any financial gain to the property owner arising from a condemnation action to be deducted from the taxpayer's federal adjusted gross income;

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(17) Specifies that any easements acquired after December 31, 2006, and abandoned in whole for a period in excess of 10 years may be vacated by a court of competent jurisdiction and upon the property owner paying monetary consideration equal to the original consideration paid by the easement holder. The holder of the easement must be a party to the action and may be allowed to maintain the easement upon a showing, in good faith, that the holder plans to make future use of the easement; and

(18) Specifies that within 30 days of the initial notice by the condemning authority, a landowner may propose an alternative location on his or her property which must be considered by the condemning authority.

HJR 55 -- COMPENSATION AND DISCIPLINE OF PUBLIC OFFICIALS

Beginning January 1, 2007, this proposed constitutional amendment prohibits, upon voter approval, public officials convicted of felonies while serving in office, removed from office for misconduct, or impeached from receiving any state pension.

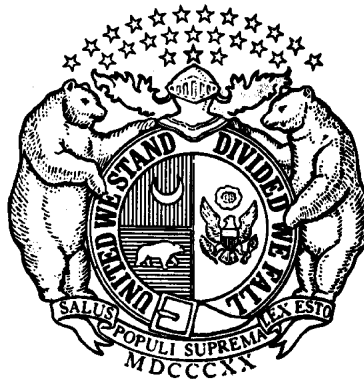
The amendment requires a two-thirds majority vote by the General Assembly in order to veto the compensation schedule recommended by the Missouri Citizens' Commission on Compensation for Elected Officials. The requirement that the compensation schedule be subject to appropriations by the General Assembly is repealed. No compensation schedule approved by the commission will apply to members of the General Assembly until January 1, 2009.

TRULY AGREED TO AND FINALLY PASSED

SENATE BILLS

**SECOND REGULAR SESSION
93rd GENERAL ASSEMBLY**

2006



**Prepared by
House Research Staff**

SB 558 -- EXPERIMENTAL TARIFFS OF GAS CORPORATIONS

This bill removes the termination date for experimental tariffs of gas corporations authorized by the Missouri Public Service Commission which allow schools to purchase aggregate amounts of gas. The current tariffs will remain in effect until terminated by the commission.

SB 559 -- JOINT MUNICIPAL UTILITY COMMISSIONS

This bill clarifies the definition of "person" as it relates to Sections 393.700 - 393.770, RSMo, to mean a specified type of entity created under the laws of any state or the United States.

SB 561 -- EXCURSION GAMBLING BOAT ADMISSION FEE REVENUE

This bill limits the expenditures that can be made from funds derived from admission fees paid to the City of St. Charles and St. Charles County by excursion gambling boats to no more than the amount of revenue received from these fees in Fiscal Year 2007. If a new excursion gambling boat locates in the City of St. Charles or St. Charles County, the amount of expenditures from funds derived from admission fees cannot exceed the average revenue received by the city or county from admission fees during the first two fiscal years in which the boat is open for business. In the future, if the city or county collects admission fee revenue in excess of what it collected in Fiscal Year 2007, the revenue will be treated as if it were sales tax revenue and the city or county must reduce its total general revenue property tax levy.

For fiscal years 2010 through 2014, at least 70% of the admission fee revenues must be used for expenses related to capital, cultural, and special law enforcement purposes. For fiscal years 2015 and beyond, the amount is increased to at least 80%.

HCS SCS SB 567 & 792 -- HEALTH INSURANCE COVERAGE

This bill changes the laws regarding health insurance coverage.

HEALTH INSURANCE BENEFITS

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Currently, an employer may provide or contract for health insurance at a reduced premium rate for employees who do not smoke or use tobacco products. The bill allows an employer to also provide or contract for health insurance at a reduced deductible level for employees who do not smoke or use tobacco products. Insurers or small-employer carriers offering these policies will not be in violation of any unfair trade practice.

HEALTH INSURANCE COVERAGE FOR CLINICAL TRIALS

The bill requires health insurers to cover routine patient care costs incurred as a result of phase II clinical trials for cancer treatment. Currently, coverage is only required for phase III and IV of these trials. The provisions regarding phase II of a clinical trial will not automatically apply, but must be an option to any individually underwritten health benefit plan.

HEALTH INSURANCE CO-PAYMENTS FOR PRESCRIPTION DRUGS

Health insurers will be required to charge only one co-payment on a prescription if the required single dosage is not available and a combination of dosage amounts must be dispensed to fill the prescription. This provision does not apply to prescriptions in excess of a one-month supply. If technology does not permit adjudication, the health carrier or health benefit plan will provide reimbursement forms for the patients.

SCS SB 578 -- FUNERAL PROTESTS

This bill establishes the Spc. Edward Lee Myers' Law which makes it a class B misdemeanor to picket or protest in front of or about any church, cemetery, or funeral establishment within one hour prior to the commencement of any funeral and until one hour following the cessation of any funeral. Any subsequent violation will be a class A misdemeanor.

The bill contains an emergency clause.

SCS SB 580 -- COORDINATING EDUCATIONAL AND ECONOMIC POLICY

This bill requires the Commissioner of Higher Education, the Chair of the Coordinating Board for Higher Education, the Commissioner of Education, the President of the State Board of Education, and the Director of the Department of Economic

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Development to meet and discuss ways in which their respective departments may collaborate to achieve a more efficient and effective education system that more adequately prepares students for entering the workforce. The group is required to annually report to the General Assembly and the Governor on their agencies' actions and recommendations for initiatives and statutory changes.

HCS SS#2 SCS SB 583 -- VEHICLE EMISSIONS INSPECTION PROGRAM

This bill revises the state vehicle emissions inspection program by creating a decentralized emissions inspection program in which only motor vehicle safety inspection stations and other entities certified by the Air Conservation Commission will conduct emissions inspections. The program will apply consistently throughout the City of St. Louis and the counties of St. Louis, St. Charles, Jefferson, and Franklin.

Prior to September 1, 2007, the commission must develop a program which allows official emissions inspection stations to conduct onboard diagnostic testing on 1996 and newer vehicles. Before issuing a certificate of authorization to a prospective station, the commission must determine if the applicant will be properly equipped, has qualified emissions inspectors, and meets other requirements specified by the commission. Official inspection stations which are certified will be allowed to repair motor vehicles to bring them into compliance.

The Department of Natural Resources must issue a report to the General Assembly and the Governor regarding the progress of implementing the decentralized emissions inspection program. The report will include how many inspection stations or individuals the department expects to participate in the program and how many will be qualified by September 1, 2007, to conduct emissions inspections. The department will also be required to actively promote participation in the decentralized emissions inspection program among qualified motor vehicle dealers, service stations, and other individuals. After the implementation of the program, the department must monitor participation and attempt to ensure, through promotional efforts, that no more than 20% of all persons residing in the affected nonattainment area reside farther than five miles from the nearest inspection station.

The fee for an emissions inspection will be \$24. Vehicle owners will not be charged an additional fee for a reinspection if completed within 20 days, excluding Saturdays, Sundays, and

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holidays. The commission must establish by rule a waiver amount not to exceed \$450. The waiver amount for an owner that performs repair work on his or her own vehicle will be \$400 if the cost of the parts used by the owner is equal to or greater than \$400. The cost for labor performed by the owner will not count toward the waiver limit. The commission may establish by rule a lower waiver amount for owners who provide reasonable and reliable proof that they are financially dependent solely on state and federal disability benefits and other public assistance programs. This proof must be submitted to the commission 30 calendar days prior to each subsequent emissions inspection before the lowered waiver amount is allowed. The Director of the Department of Revenue may verify a successful inspection electronically.

The bill exempts from the inspection requirements diesel-powered vehicles except light-duty, diesel-powered vehicles manufactured after 1996 with a gross vehicle weight rating of 8,500 pounds or less; new motor vehicles previously titled and registered for a four-year period following their model year of manufacture if the odometer reading is less than 40,000 miles at their first required biennial safety inspection; vehicles which are engaged in interstate commerce and are proportionately registered with the Highway Reciprocity Commission; new motor vehicles of the current calendar year and any calendar year within two years of the current calendar year which have an odometer reading of less than 6,000 miles; school buses; and motor vehicles driven fewer than 12,000 miles between biennial safety inspections. Vehicles which are inspected and approved prior to a sale or transfer will not be subject to another emissions inspection for 90 days after the date of sale or transfer.

The procedures for becoming an official emissions inspection station are specified. The commission may suspend a station's certificate of authority to conduct emissions inspections if the station is given due process as specified in the bill.

The Department of Natural Resources and the State Highway Patrol will provide oversight of the emissions inspection program. Beginning October 1, 2008, and every October 1 thereafter, the department and the patrol must jointly submit an annual report to the General Assembly detailing the oversight measures implemented for the program, data collected regarding compliance and incidents of fraud, and recommendations for improvements to the program.

The bill abolishes the Missouri Air Pollution Control Fund and transfers its moneys to the Missouri Air Emission Reduction Fund.

The bill becomes effective September 1, 2007.

SB 612 -- CONVEYANCE IN ST. FRANCOIS COUNTY

This bill authorizes the Governor to convey state property located in St. Francois County to American Legion Post 416 located in Farmington.

The bill contains an emergency clause.

HCS SCS SB 614 -- RESIDENTIAL TREATMENT AGENCY TAX CREDIT ACT

This bill establishes the Residential Treatment Agency Tax Credit Act which authorizes a tax credit for 50% of the amount contributed to a qualified residential treatment agency. To be a qualified residential treatment agency, the agency must be licensed under Section 210.484, RSMo, and contract with the Department of Social Services to provide treatment services. On behalf of individuals who have made donations, an agency can apply for tax credits in an aggregate amount that does not exceed 40% of the payments received by the agency from the department in the preceding 12 months.

The tax credit is non-refundable, can be carried back three years or forward four years, and is fully transferable.

CCS HCS SCS SB 616 -- ASSISTED LIVING FACILITIES

This bill changes the laws regarding assisted living facilities. In its main provisions, the bill:

(1) Changes the terms "residential care facility I" as it applies to long-term care provided to the elderly and disabled to "residential care facility" and "residential care facility II" to "assisted living facility";

(2) Defines "assisted living facility" as any premises other than a residential care facility, intermediate care facility, or skilled nursing facility that provides or coordinates 24-hour care and protective oversight to three or more residents. Care may include the provision of shelter, board, and assistance with any activities of daily living or supervision of health care under the direction of a licensed physician;

(3) Defines "community based assessment," "dementia," "activities of daily living," "instrumental activities of daily

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living," "appropriately trained and qualified individual," and "social model of care";

(4) Allows any residential care facility licensed as a residential care facility II immediately prior to the effective date of these provisions and for purposes of receiving supplemental welfare assistance payments under Section 208.030, RSMo, to continue to receive the payment amount allocated for a residential care facility II;

(5) Requires an assisted living facility to provide for or coordinate oversight and services to meet the needs of a resident as specified in a written contract signed by the resident or other responsible party;

(6) Prohibits an assisted living facility from accepting an individual who is a danger to self or others, requires physical or chemical restraint, requires more than one person to simultaneously assist the resident in daily activities, or is bed-bound;

(7) Requires an assisted living facility to provide staff in appropriate numbers and with appropriate skills to provide 24-hour care to residents;

(8) Requires multilevel facilities or facilities accepting residents with cognitive or physical impairments to be in compliance with National Fire Protection Association Code 13 and the 1997 Life Safety Codes for Existing Health Care Occupancy;

(9) Requires an assisted living facility to keep a written plan for the protection of all residents in the event of a disaster;

(10) Creates a grandfather provision to allow an existing residential care facility II to be licensed as an assisted living facility as long as the facility continues to meet all laws, rules, and regulations that were in place the day before the provisions of the bill become effective. The grandfather provision does not exempt a residential care facility II from the 24-hour staff, written plan protection, screening, and assessment requirements;

(11) Requires an assisted living facility to complete at least semi-annually a resident assessment upon admission and whenever a significant change has occurred in the resident's condition;

(12) Requires the use of a personal electronic monitoring device for any resident of an assisted living facility whose physician recommends its use;

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(13) Prohibits any facility from naming or advertising itself as an assisted living facility without obtaining a license from the Department of Health and Senior Services;

(14) Requires the department to develop rules to ensure the compliance of the provisions of the bill; and

(15) Requires the departments of Social Services and Health and Senior Services to jointly prepare by January 1, 2008, a report to the Governor and General Assembly on the differences found in the evaluation of the requirements for inspectors or surveyors of facilities and the performance of the inspectors.

SB 618 -- CHILD SUPPORT PAYMENTS

This bill allows a custodial parent to receive child support payments by direct deposit into his or her designated account. The family support payment center may issue an electronic access card to disburse support payments to a custodial parent who is not using the automated deposit.

SCS SB 630 -- HOMESTEAD PRESERVATION ACT

This bill modifies the Homestead Preservation Act by including eligibility for multiple, unmarried property owners. The bill specifies that in the case of joint ownership or tenancy by unmarried persons, all owners will be considered eligible owners if each person with an ownership interest individually satisfies the eligibility requirements. To qualify, the combined income of all interest holders in the property must be less than the maximum upper limit in the year prior to applying for the homestead credit. The filing deadline for the homestead tax credit is changed from September 30 to October 15.

SB 641 -- MISSOURI HIGHER EDUCATION SAVINGS PROGRAM

This bill requires that any contribution to the Missouri Higher Education Savings Program be held in the program for at least 12 months in order to avoid penalties.

SB 645 -- BUSINESS USE INCENTIVES FOR LARGE-SCALE DEVELOPMENT

This bill expands the definition of "essential industry" to include certain businesses in the City of Fenton. Currently, only certain businesses in the City of Hazelwood are given this designation.

In order to be deemed an essential industry, the business must:

- (1) Be located in the cities of Fenton or Hazelwood;
- (2) Invest \$500 million in an economic development project within three years of receiving bonds or credits from the Missouri Development Finance Board through the Business Use Incentive for Large-Scale Development (BUILD) Program for large-scale economic development projects;
- (3) Have maintained at least 2,000 jobs at the proposed project site for a period of four years prior to applying for participation in the BUILD Program; and
- (4) Maintain the same level of employment at the site as existed the year prior to applying for the program. This level of employment must be met within three years of receiving BUILD certificates and must continue for as long as the business participates in the BUILD program.

SB 648 -- FIRE REGULATIONS FOR MENTAL HEALTH FACILITIES

This bill replaces the term "lunatic asylums" with "mental health facilities" when referring to facilities that must have stairs or fire escapes.

SCS SB 650 -- MISSOURI STATE UNIVERSITY

This bill specifies that members of the governing board of the Missouri State University will serve six-year terms. The voting members of the board serving on August 28, 2005, will serve until the expiration of the terms for which they were appointed; and for those appointed after August 28, 2005, the terms of office will be established so that no more than three terms expire in any year. If a member changes the congressional district in which he or she resides, a unanimous vote of the board can vacate the seat. If the number of congressional districts is changed or

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the boundaries of any congressional district are changed in a manner that displaces a board member from the district from which he or she was appointed, the members of the board can serve the remainder of the terms for which they were appointed. The bill also contains other technical changes regarding the university's name change.

The bill contains an emergency clause.

SCS SB 667, 704, 941, 956 & 987 -- MEMORIAL HIGHWAYS AND BRIDGES

This bill designates the following memorial highways and bridges:

- (1) The portion of State Highway M, within the limits of the City of Irondale, in Washington County as the "Trooper Robert Kolilis Memorial Highway";
- (2) The portion of U. S. Highway 54 located within Camden County from the eastern limits of the City of Macks Creek to the western limits of the City of Camdenton as the "Trooper Ross S. Creach Memorial Highway";
- (3) The bridges on U. S. Highway 60 over the Current River located within the limits of the City of Van Buren as the "Sgt. Dewayne Graham, Jr. MO State Highway Patrol Memorial Bridges";
- (4) The portion of U. S. Highway 60 from the intersection of State Route MM to the intersection of State Highway 181 in Texas County as the "Trooper D. Kevin Floyd Memorial Highway";
- (5) The portion of Interstate 44 from mile marker 91 to mile marker 94 in Webster County as the "Corporal Jay Sampietro MO State Highway Patrol Memorial Highway"; and
- (6) A two-mile portion of Interstate 44 heading east from the U. S. Highway 50 intersection in Franklin County as the "Trooper Ralph Tatoian Memorial Highway."

SB 677 -- RADIATION CONTROL

This bill abolishes the Committee on Radiation Control, a subcommittee of the Missouri Atomic Energy Commission.

SB 678 -- QUARTERLY TAX COLLECTION REPORTS FOR TEMPORARY TAXES

This bill repeals obsolete provisions of law requiring the Director of the Department of Revenue to make quarterly tax collection reports for temporary taxes that are no longer in effect.

SCS SB 701 & 948 -- NATIONAL GUARD MEMBER EDUCATIONAL ASSISTANCE GRANTS

Currently, a recipient of an educational assistance grant from the Missouri National Guard is required to maintain his or her military affiliation while enrolled in a course of study. This bill requires that the guard member maintain his or her active military affiliation for the academic semester or term.

SS SCS SB 718 -- ISSUANCE OF STATE LOANS

This bill authorizes the Missouri Development Finance Board, the Missouri Health and Education Facilities Authority, the Missouri Higher Education Loan Authority, the Missouri Housing Development Commission, and the Environmental Improvement and Energy Resources Authority to approve a loan request only if the means of repayment is readily ascertainable and reliable. With the exception of annual appropriation debt for state-owned property, entities cannot approve a request if the means of repayment is contingent upon state funding that has not been granted unless the project has been approved by a concurrent resolution of the General Assembly or similar legislative directive or approval.

The Jobs Now Fund is included in the list of funds from which a loan may be requested from the Missouri Development Finance Board.

Currently, the State Board of Public Buildings cannot issue revenue bonds for the acquisition of office buildings for one or more projects in excess of a total par value of \$655 million. The bill increases the limit to \$775 million.

HCS SB 725 -- ALCOHOLIC BEVERAGES

This bill allows culinary students older than 18 years of age to taste, but not consume or drink, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum.

A student younger than 21 years of age is explicitly prohibited from receiving any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and is used only for instructional purposes during classes conducted as part of the curriculum.

Intoxicating and nonintoxicating beer are required to be brewed from a malt or a malt substitute. Flavor and other non-beverage ingredients containing alcohol may be used in producing intoxicating and nonintoxicating beer but may not contribute to more than 49% of the overall alcohol content of the finished beer.

SCS SB 747 -- USED MOTOR VEHICLE DEALER EDUCATIONAL COURSES

This bill requires applicants for a used motor vehicle dealer's license to complete an educational seminar course within 12 months of applying for a license. The educational seminar course must be approved by the Department of Revenue. The provisions of the bill will not apply to wholesale and retail auto auctions, new motor vehicle franchise dealers, or motor vehicle leasing agencies. Used motor vehicle dealers who are licensed prior to August 28, 2006, will not be subject to the provisions of the bill.

SCS SB 749 -- INTERIOR DESIGNERS

This bill reduces the verification of experience requirements for registered commercial interior designers that is submitted to the National Council for Interior Design Qualification from five to two client references and from five to two industry references.

SCS SB 751 -- PUBLIC SCHOOL PROPERTY

This bill allows the City of Corder to sell or use property originally acquired from the school district located in the city limits for public use for any purpose after 25 years.

CCS HCS SCS SB 756 -- PROFESSIONAL REGISTRATION

This bill changes the laws regarding the licensing of certain professions within the Division of Professional Registration in the Department of Economic Development.

PRESCRIPTIVE AUTHORITY

The bill authorizes advance practice nurses to prescribe certain substances containing pseudoephedrine while engaged in a collaborative agreement with a physician.

MASSAGE THERAPY

The Board of Therapeutic Massage is authorized to promulgate rules establishing requirements for granting licenses for applicants from other states who have completed massage therapy programs which are less than 500 hours. Massage therapy businesses are prohibited from employing an unlicensed person for the purpose of performing massage therapy services. The board is required to send copies of all board survey inspections to the business within 30 days of the inspection and is allowed to waive or extend the time requirements for completion of continuing education requirements under certain circumstances as determined by the board. Nonresident licensed massage therapists will be exempt from licensure if they are providing services or instruction in conjunction with disaster relief or at special events.

The board is also authorized to contract for legal services.

DENTAL RECORDS

Dentists are required to maintain complete and adequate patient records. Records must be retained for at least seven years from the date of the last professional service. Any addition or change to a patient's record made more than 48 hours after the final entry will be entered as an addendum and will specify the time; date; name of person making the addition, correction, or change; and the reason for the change.

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Laboratory work orders are also required to be maintained for seven years.

REVOCATION OF LICENSES

The State Board of Registration for the Healing Arts is authorized to revoke the professional license of any person licensed under Chapter 334, RSMo, who has been found guilty of a felony. Currently, it only applies to physicians.

COLLABORATIVE AGREEMENT REPORTING

The bill requires physicians to report to the State Board of Registration for the Healing Arts any collaborative practice or physician assistant agreement entered into within 30 days. Physicians are also required to provide the board with all their collaborative practice agreements when renewing their license. This information will be available to the public.

The board is authorized to conduct random reviews of these agreements to determine whether licensees are in compliance with the provisions of the bill.

ATHLETIC TRAINERS

The bill requires that after August 28, 2006, applicants for licensure as athletic trainers must pass the examination given by the National Athletic Trainers Association Board of Certification or its successor agency. Currently, the State Board of Registration for the Healing Arts administers the licensing examinations.

Certain academic and experience requirements necessary for licensure are repealed.

PROFESSIONAL COUNSELORS

Professional counselors licensed in other states are allowed to apply for licensure in Missouri without examination if the applicant has had no disciplinary action taken against his or her license in the past five years or has met all eligibility criteria established by the American Association of State Counseling Boards or its successor organization.

SOCIAL WORKERS

Clinical social workers licensed in other states are allowed to

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obtain a Missouri license if they have had no disciplinary action taken against their license in the preceding five years and their current state license has substantially the same licensing requirements as the State of Missouri.

VETERINARIANS

The Missouri Veterinary Medical Board is authorized to promulgate rules determining when applicants are required to submit an application for the licensing examination. Currently, applicants are required to make application 60 days prior to taking the examination.

ADMINISTRATIVE HEARING COMMISSION

The Administrative Hearing Commission is authorized to publish notifications of licensing cases to be heard before the commission if notification cannot be accomplished in person or by certified mail.

HCS SCS SB 765 -- EMERGENCY MEDICAL TREATMENT

This bill specifies that informed consent is not required for research programs or experimental medical procedures for certain patients subject to a life-threatening emergency when conducted in accordance with certain federal regulations and when the institutional review board has approved the research activity.

The bill contains an emergency clause.

HCS SCS SB 769 -- FISCAL AND OTHER AUTHORIZATIONS FOR CERTAIN SCHOOL DISTRICTS

This bill allows the Puxico R-VIII, Valley R-VI, Bismarck R-V, and Caruthersville R-XVIII school districts to make a one-time additional transfer from the incidental fund to the capital projects fund in an amount not to exceed 40% of the district's June 30, 2006, incidental fund. The transfer must occur by July 1, 2007.

Any school district affected by the April 2006 tornadoes may be exempted from making up its lost school time according to a sliding scale specified in the bill and is allowed to use the summer school food service standards while running double sessions.

The bill contains an emergency clause.

SB 778 -- WATERCRAFT REGISTRATION FEES

This bill increases the fee for a certificate of number when registering the following vessels:

- (1) Under 16 feet in length from \$10 to \$25;
- (2) 16 feet to 26 feet in length from \$20 to \$55;
- (3) 26 feet to 40 feet in length from \$30 to \$100; and
- (4) 40 feet and longer from \$40 to \$150.

The first \$2 million collected annually for numbering will be deposited into the General Revenue Fund. All fees collected in excess of \$2 million will be deposited into the newly created Missouri State Water Patrol Fund when the state's net general revenue increases by 2% or more from the previous fiscal year. Moneys in this fund, subject to appropriations, will be used solely for the expenses of the State Water Patrol. Revenue remaining in the fund at the end of the biennium will not revert to the credit of the General Revenue Fund.

When applying for or renewing a vessel's certificate of number from the state or for a vessel documented with the United States Coast Guard, the owner must submit proof that all personal property taxes owed on the vessel have been paid.

SB 785 -- DUTIES OF JAILERS

This bill authorizes jailers to serve arrest warrants on individuals who are already inmates in the custody of the facility in which the jailer is employed.

SCS SB 802 -- SEWER DISTRICTS

This bill defines "owner," "registered voters," and "voters" as the terms relate to the laws governing sewer districts in counties of the second classification.

The bill contains an emergency clause.

HCS SB 809 -- MUNICIPAL ZONING

This bill allows cities, towns, and villages to adopt by reference the zoning regulations of the county instead of adopting their own municipal regulations through the passage of an ordinance.

HCS SB 819 -- LICENSING OF ENGINEERS AND LAND SURVEYORS

This bill authorizes the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to issue land surveying and engineering licenses to persons meeting certain criteria specified in the bill.

SB 822 -- HEALTH CARE PROVIDER TAX

This bill extends the expiration date for the state's Medicaid managed care organization reimbursement allowance and the pharmacy tax from June 30, 2006, to June 30, 2007. The expiration date for the federal reimbursement allowance and the nursing facility reimbursement allowance is extended from September 30, 2006, to September 30, 2007.

The bill contains an emergency clause.

HCS SS SCS SB 825 -- KANSAS AND MISSOURI REGIONAL INVESTMENT DISTRICT COMPACT

This bill establishes the Regional Investment District Compact between the states of Missouri and Kansas to provide regional programs and initiatives that will produce significant benefits to the Kansas City metropolitan area by efficiently using resources regarding public transportation.

The legislatures of Kansas and Missouri must both enter into the compact. The compact will include the counties of Buchanan, Clay, Platte, Jackson, Cass, and Ray in Missouri and the counties of Wyandotte, Johnson, and Leavenworth in Kansas. Other cities, counties, and political subdivisions can join the compact.

The bill:

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(1) Specifies the membership, duties, and powers of the commission which will govern the regional investment district and the oversight committee;

(2) Specifies the purposes for which the tax revenue may be spent;

(3) Specifies the requirements of the program plan which describes the regional program and authorizes the appropriation of revenue received from the sales tax authorized by the compact;

(4) Authorizes the governing body of each participating county to levy a sales tax, upon voter approval, of up to 0.5%. The sales tax cannot be in effect for more than 15 years unless it is reviewed by the qualified electors of the county prior to its expiration. However, before this sales tax can be levied in any county, it must first receive voter approval in Jackson County in Missouri and Johnson and Wyandotte counties in Kansas;

(5) Requires the commission to submit an annual report on its operations and transactions during the preceding year to the legislatures and governors of Missouri and Kansas and the governing bodies of all jurisdictions that participate in the compact. The report must be submitted by March 15 and must include an audit performed by a certified or licensed public accountant;

(6) Prohibits the commission and the committee from incurring debt of any kind or from pledging the credit of the Mid-America Regional Council, the State of Missouri, the State of Kansas, or any other jurisdiction that is a party to the council's articles of agreement;

(7) Establishes the Regional Investment Fund in the State Treasury. All sales tax revenue collected by participating counties will be collected by the Department of Revenue and deposited into the fund;

(8) Prohibits revenue from the sales tax from being allocated to any tax increment financing project; and

(9) Allows Missouri counties to participate in the compact if, by July 1, 2007, Kansas has not authorized its counties to participate.

SB 828 -- DENTAL HYGIENE SERVICES

Currently, the provisions allowing dental hygienists to provide services in a public health setting for children eligible for medical assistance under Chapter 208, RSMo, will expire on August 28, 2006. This bill repeals the sunset provision.

SCS SB 830 -- POLICE MILITARY LEAVE

This bill allows members of the Police Retirement System of Kansas City to receive service credit for time spent in military service during a war. Members are not required to pay member contributions for this service time.

HCS SB 834 -- SPECIAL EDUCATION

Currently, optional resolution conferences are permitted as the first step of due process in special education disputes. This bill removes the resolution conference and makes technical changes to remove its reference because it is already in federal law.

Currently, there is a 45-day time line for due process hearings. The bill removes the 45-day limit and incorporates by reference the requirements of the federal Individuals with Disabilities Education Act (IDEA) standards for these hearings.

Evaluations of private school students who may have a disability under the IDEA will be conducted by the school district in which the private school is located.

HCS SB 837 -- INSURANCE BOARD MEMBERSHIP

This bill modifies the membership requirements for the board of directors of the Missouri Health Insurance Pool and the Medical Malpractice Joint Underwriting Association. The committee member requirements for the Missouri Basic Property Insurance Inspection and Placement Program are also modified.

The board of directors for the Missouri Health Insurance Pool will consist of the Director of the Department of Insurance and eight members appointed by the director. The members appointed

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by the director must have a background and experience in health insurance plans, health care finance, or the provision of health care.

The board of directors overseeing the Joint Underwriting Association will change four of the directors from the National Association of Independent Insurers and the American Mutual Insurance Alliance to be two directors that are members of the Property and Casualty Insurers Association of America and two directors who are members of the Missouri Insurance Coalition.

Currently, the Alliance of American Insurers and the National Association of Independent Insurers have two members each on the governing committee that administers the Missouri Basic Property Insurance Inspection. The bill changes these four members to be two members from the Property and Casualty Insurers Association of America, one member from the National Association of Mutual Insurance Companies, and one member from the Missouri Insurance Coalition.

HCS SB 840 -- HIGHWAYS AND BRIDGES

This bill changes the laws regarding the highway and bridge designation process. In its main provisions, the bill:

- (1) Specifies that a person requesting a highway or bridge designation must submit the proper documents and fees to the Joint Committee on Transportation Oversight no later than November 1 prior to the next regular session of the General Assembly;
- (2) Clarifies that the joint committee will be responsible for approving or denying highway or bridge designations;
- (3) Specifies that the signs erected must be maintained for a 20-year period; and after that time, the signs will be subject to removal unless the sponsoring organization or person files another application to retain the designation;
- (4) Specifies that the fee for constructing and maintaining the signs will not exceed the cost of constructing and maintaining each sign. Currently, the fees are \$400 and \$600 respectively;
- (5) Prohibits a bridge or portion of a highway from being named after more than one person, event, place, or organization. Each person, event, place, or organization will only be eligible for one bridge or highway designation;

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(6) Requires the highway designation sign fees to be deposited into the Road Fund instead of the Department of Transportation Bridge and Highway Sign Fund;

(7) Allows highway and bridge designations to also be made for state employees killed while serving the state; and

(8) Allows the Highways and Transportation Commission to convey or exchange its interest in land or leasehold for the property's approximate fair market value. The commission, at its discretion, will also be allowed to convey at no cost or exchange its interest in any land or leasehold that is no longer necessary for its use to any federal, state, or local governmental entity.

SB 845 -- WAIVERS FOR DISSOLVED CORPORATIONS DUE TO MILITARY SERVICE

This bill allows the Secretary of State to waive reinstatement fees and procedures in the event a corporation was administratively dissolved due to a failure to file an annual registration report when the failure was due to the business owner's active military service. The Secretary of State will waive all late fees, cancel the certificate of dissolution, and reinstate the corporation in these circumstances.

SB 863 -- VOLUNTEER FIRE PROTECTION ASSOCIATIONS

This bill expands the definition of "volunteer fire protection association" to include municipal fire departments staffed by volunteers.

SCS SB 870 -- TRANSFER OF APPROPRIATION PAYMENTS

This bill transfers the responsibility for certain payments from the Office of Administration to other state agencies. County sheriffs are required to file claims for services provided to certain offenders with the Department of Corrections, and the Missouri State Council on the Arts within the Department of Economic Development is required to distribute grants to public television stations.

Single county circuit juvenile courts are required to file copies

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of their budgets with the Office of State Courts Administrator, and the Department of Corrections is required to review and receive documentation regarding the payment for incarceration of prisoners as well as receive certain documentation regarding criminal court costs and fees.

The bill contains an emergency clause.

SB 871 -- POLICE RETIREMENT SYSTEM OF ST. LOUIS

This bill changes the laws regarding the distribution of benefits for the Police Retirement System of St. Louis. In its main provisions, the bill:

- (1) Requires, beginning January 1, 2003, that the required minimum distributions be made in accordance with the United States Treasury regulations under Section 401(a)(9) of the Internal Revenue Code of 1986, as amended;
- (2) Requires the member's entire interest to be distributed or begin to be distributed no later than the member's required beginning date of receiving benefits;
- (3) Specifies to whom and when distributions will be made if a member dies before distributions begin;
- (4) Requires that distributions for calendar years 2003, 2004, and 2005 meet United States Treasury regulations if the payments satisfy Section 401(a)(9) of the Internal Revenue Code of 1986, as amended;
- (5) Allows a member, upon termination of employment and actual service retirement, to request payment of his or her mandatory contributions to the retirement system without interest. Currently, this payment is made automatically;
- (6) Prohibits the board of trustees from paying an eligible rollover distribution of \$5,000 or less to a member or retired member who has not attained age 62 unless the member consents in writing to receive the distribution in cash or to have the distribution directly rolled over in accordance with the provisions of this section; and
- (7) Requires that if any retroactive payment is made to a member or the member's beneficiary for any reason, a lump sum amount equal to the retroactive payments plus interest be paid.

HCS SS SCS SB 872, 754 & 669 -- SAFE OPERATION OF MOTOR VEHICLES

This bill changes the laws regarding the safety of highway workers, emergency workers, and other motorists; child passenger restraints and safety belts; and chemical testing of intoxicated drivers.

HIGHWAY WORK ZONE SAFETY

The bill increases various penalties for offenses occurring within highway work zones or construction zones. Any person convicted of a second or subsequent moving violation within a work zone will be assessed a fine of \$75. A person convicted of speeding or passing a vehicle within a work zone when a highway worker is present a second or subsequent time will be assessed \$300 in addition to any other fines authorized by law. The crime of endangerment of a highway worker is created. If a person commits the crime but no injury or death results, the person will be subject to a fine of not more than \$1,000 and will have eight points assessed against his or her driver's license. A person will be guilty of aggravated endangerment of a highway worker if a death or injury results. If a person injures or kills a highway worker in a work zone, he or she will be subject to a fine of not more than \$5,000 if there was an injury and not more than \$10,000 if a death resulted and will have 12 points assessed against his or her driver's license.

A person commits the crime of endangerment of a highway worker if the motorist:

- (1) Exceeds the posted speed limit by 15 miles per hour or more;
- (2) Passes another vehicle in a work zone causing the death or injury of a highway worker;
- (3) Fails to stop for a work zone flagman or fails to obey traffic control signals erected in the work zone;
- (4) Physically assaults or attempts to assault a highway worker with a motor vehicle or other instrument;
- (5) Intentionally strikes or moves barrels, barriers, signs, or other devices erected to control the flow of traffic for a reason other than avoidance of an obstacle, an emergency, or to protect the health and safety of another person; or
- (6) Commits various offenses in which points may be assessed.

FAILURE TO YIELD (CLUTCH'S LAW)

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The bill imposes an additional penalty and driver's license suspension on any person failing to yield the right-of-way when the violation results in physical injury, serious physical injury, or death to a person.

MOVE OVER LAW

The bill specifies that a person commits the crimes of involuntary manslaughter in the second degree and assault in the second degree if he or she fails to yield the right-of-way to an emergency vehicle and, in doing so, acts with criminal negligence to cause the death of any person authorized to operate an emergency vehicle while in the performance of his or her official duties. The bill increases the penalty for failing to yield the right-of-way to an emergency vehicle from a class B misdemeanor to a class A misdemeanor.

SCHOOL BUSES

The penalties for motorists who fail to stop for school buses that are loading or unloading children are increased. Any person who fails to properly yield for a school bus and the failure results in the injury of any child will be guilty of a class D felony. Any person who fails to properly yield for a school bus causing the death of a child will be guilty of a class C felony.

CHILD PASSENGER RESTRAINTS AND SAFETY BELTS

The bill requires children of certain ages, weights, and heights to be restrained by either a child passenger restraint system, booster seat, or safety belt.

Children younger than four years of age, regardless of weight, are required to use an appropriate child passenger restraint system. Children weighing less than 40 pounds, regardless of age, are required to be secured in a child passenger restraint system appropriate for the child. Children who are four but less than eight years of age and who weigh at least 40 pounds but less than 80 pounds and are less than four feet nine inches tall must be secured in a child passenger restraint system or booster seat appropriate for the child. Children who weigh at least 80 pounds or children taller than four feet nine inches must be secured by a vehicle safety belt or booster seat appropriate for the child.

The bill allows a child to be transported in the back seat without a booster seat if the child is secured with a lap belt when the vehicle is not equipped with a combination lap and shoulder belt for booster seat installation.

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A violation of the child passenger restraint/booster provisions will be an infraction, and the fine will be \$50 plus court costs. The fine for violating the safety belt provision will be \$10. Charges for violating the child passenger restraint and booster seat provisions will be dismissed or withdrawn if the driver provides evidence that he or she acquired a child passenger restraint system or booster seat prior to or at his or her hearing. The bill will not apply to public carriers for hire or students four years of age or older who are passengers on a school bus designed for carrying 11 passengers or more and which is manufactured or equipped pursuant to Missouri's minimum standards for school buses.

The bill specifies that if there are more persons than there are seat belts in the enclosed area of a motor vehicle, the passengers who are unable to wear seat belts must sit in the area behind the front seat unless the vehicle is designed only for a front-seated area. Those passengers occupying the back seat location will not be in violation. This provision does not apply to passengers who are accompanying an intermediate driver's license holder. Currently, all passengers accompanying an intermediate driver's license holder must be properly restrained. The seat belt and child restraint provisions of the bill will not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body or applicable to persons operating or riding a motor vehicle being used in agricultural work-related activities.

CHEMICAL TESTING OF INTOXICATED DRIVERS

The Alan Woods Law is established which specifies that any state, county, or municipal law enforcement officer who has the power to arrest an individual for driving with excessive blood-alcohol content or driving while intoxicated and is certified under Missouri law will administer a chemical test to any person suspected of driving a motor vehicle involved in a collision which resulted in a fatality or serious physical injury.

A person who is tested will have the right to obtain full information concerning the test. Full information is limited to:

- (1) The type of test administered and the procedures followed;
- (2) The time the blood, breath, or urine sample was collected;
- (3) The numerical results of the test indicating the alcohol content of the blood, breath, and urine;

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(4) The type and status of any permit which was held by the person who performed the test; and

(5) The date of the most recent required maintenance of any breath testing instrument used.

Full information will not include manuals, schematics, or software of the instrument used to test the person, any other material that is not in the actual possession of the state, or information in the possession of the manufacturer of the test instrument.

The provisions in Section 304.351, RSMo, regarding failure to yield (Clutch's Law) become effective January 1, 2007.

SB 881 -- CONVEYANCE IN ST. FRANCOIS COUNTY

This bill authorizes the Governor to convey state property located in St. Francois County to the City of Farmington.

HCS SS SCS SB 892 -- FINANCIAL INSTITUTIONS AND MISSOURI UNIFORM TRUST CODE

This bill changes the laws regarding financial institutions and the Missouri Uniform Trust Code.

FINANCIAL INSTITUTIONS

The bill:

(1) Authorizes an income tax credit based on the pro rata share of corporate franchise tax paid by shareholders of S corporation savings and loan association holding companies and credit institutions;

(2) Prohibits industrial loan companies or industrial banks from establishing any deposit or loan production office or bank branch to conduct any banking business within the state;

(3) Requires a person seeking a repossession title to a motorboat, vessel, watercraft, or manufactured home to present a notice of lien receipt or the original certificate of ownership reflecting the holder's lien. The bill removes the requirement

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that the lienholder must present the original or photostatic copy of the security agreement and instead requires presentation of an affidavit that the lienholder has the written consent of all owners or lienholders of record to repossess the motorboat, vessel, watercraft, or manufactured home has provided the parties with written notice of the repossession. The lienholder must give 10 days' written notice by first class mail to the owners and other lienholders;

(4) Increases the amount of a corporate surety bond that applicants for a license to sell travelers checks or money orders must have from \$25,000 to \$100,000. The bond will be used to secure the faithful performance of the obligations of the applicant and to pay the costs incurred by the Division of Finance within the Department of Economic Development to remedy any breach of the obligations of the applicant or to pay examination costs of the division that have not been paid. Upon license renewal, the bond amount will be either five times the highest outstanding balance or five times the greatest amount transmitted in a single day from the previous year with a minimum bond amount of \$100,000 and a maximum of \$1 million. The division director will be authorized to perform an examination of any person licensed under the bill if necessary; and

(5) Changes the reporting requirements of past due loan amounts that the board of directors of every bank and trust company must provide at their monthly meetings and allows lenders to accelerate maturity of an unpaid balance, take possession of the property, or enforce a security interest on a loan if a borrower has defaulted on a second mortgage three times.

MISSOURI UNIFORM TRUST CODE

The bill:

(1) Revises the statutes to reflect recent changes in the federal Uniform Trust Code by limiting a settlor's ability to represent and bind beneficiaries in actions to amend or terminate trusts and adds a definition of "mandatory distribution";

(2) Changes cross references in the statutes to conform with the Missouri Prudent Investor Act;

(3) Prevents special needs trusts from being subject to termination by agreement of the settlor and beneficiaries;

(4) Protects discretionary interests in a trust from creditors;

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- (5) Abolishes the Doctrine of Worthier Title to prevent inadvertent disqualification of special needs trusts;
- (6) Redefines "power of withdrawal";
- (7) Modifies notice requirements for charitable beneficiaries; and
- (8) Allows qualified beneficiaries to represent other beneficiaries in actions to modify trust administrative provisions.

HCS SB 893 -- FIRE PROTECTION DISTRICT TAXES

This bill prohibits an ambulance or fire protection district from reducing the rate of the district's sales tax. Currently, the county collector is prohibited from reducing the district's sales tax.

Any city, town, village, county, or fire protection district in St. Louis County that has implemented an ambulance or fire protection district sales tax is authorized to use those funds for expenditures on equipment and services, excluding salaries, wages, and benefits, by any city, town, village, county, or fire protection district which contracts with a joint central fire and emergency dispatching service.

CCS HCS SS SCS SB 894 -- EDUCATION

This bill changes the laws regarding education. In its main provisions, the bill:

- (1) Requires school districts, except the St. Louis Special School District, that have a levy lower than the performance levy of \$3.43 to certify to the Department of Elementary and Secondary Education that they are providing an adequate education. If the district asserts it is not providing an adequate education, the presumption is that insufficient local effort is causing the inadequacy (Section 163.021, RSMo);
- (2) Revises the summer school penalty to a three-step phase-out, with the 2006-2007 threshold at 20%, 2007-2008 at 30%, and subsequent years until 2011-2012 at 35%. The penalty will be applied to any drop in summer school enrollment over the

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threshold level, rather than the entire drop from the base year 2005-2006 level. Small schools, as defined in the bill, are exempt from the penalty, and the penalty should not be construed to lower the amount of a hold-harmless payment. Summer school hours in physical education classes that do not count for graduation cannot be counted for summer school average daily attendance. The formula adjustment for local effort is revised to reflect decreases in local revenue from the possible creation of a municipal court in St. Charles County on school districts located entirely within that county (Sections 163.011 and 163.031);

(3) Requires districts to adopt anti-bullying policies containing elements specified in the bill (Section 160.775);

(4) Requires the department to initiate a ready to work certificate for high school seniors who volunteer to meet standards that indicate they are ready for entry-level employment (Section 1);

(5) Establishes procedures for the City of St. Louis School District to report excessive absences, as defined in the bill, to the Children's Services Division within the Department of Social Services for parental notification (Section 2); and

(6) Allows the State Board of Education to declare a district unaccredited if the district has been unaccredited within the last five years, achieved provisional accreditation, and goes back to unaccredited status. The lapse of the district will occur on June 30 or at a later date, as specified by the board. This provision becomes effective in Fiscal Year 2010 (Section 3).

SB 900 -- DEAF AND HARD OF HEARING FUND

This bill removes the requirement that certain moneys in the Missouri Commission for the Deaf and Hard of Hearing Fund will revert to the credit of the General Revenue Fund.

SS SCS SB 912 -- VIRTUAL PUBLIC SCHOOL

This bill requires the State Board of Education to establish a virtual public school by July 1, 2007. Any student in kindergarten through grade 12 may enroll, regardless of where the student lives within the state. For purposes of state school

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aid, the student will be considered as part of the enrollment of the district in which he or she physically resides if the parent chooses. The virtual public school will report aid-related data to the district of residence. A full-time equivalent student is one who completes six credits per regular term, and each virtual course will count as one class. The school district will retain 15% of the state aid for enrollees under Section 163.031, RSMo, related to the funding formula, and Section 163.043, related to the Classroom Trust Fund, attributable to the student. The virtual public school will receive 85% of the state adequacy target attributable to the student. The virtual public school must comply with all laws applicable to school districts including the state accreditation program, adequate yearly progress, annual performance report, teacher certification, and curriculum standards. The Department of Elementary and Secondary Education must ensure that multiple providers are available from whom the curriculum may be obtained.

SB 919 -- CONCEALED WEAPONS AND VAGRANT LABOR

This bill removes the provision allowing the city council of any third class city to prohibit the carrying of concealed weapons.

The use of vagrants found within the city for labor is also removed.

SB 931 -- TRANSPORTATION DEVELOPMENT DISTRICTS

This bill gives property owners one vote per acre when electing a director for a transportation development district. Currently, qualified voters get only one vote regardless of how much property they own.

CCS#2 HCS SCS SB 932 -- COUNTY OFFICIALS

This bill changes the laws regarding political subdivisions. In its main provisions, the bill:

(1) Allows a county commission to reject the transfer of title of real property to the county by donation or dedication if it is in the best interest of the county to do so. The preparer of a document donating or dedicating real property to a county cannot

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submit the document for recording unless the grantee's acceptance is proved or acknowledged (Section 49.292, RSMo);

(2) Establishes the salary schedule for public administrators in second, third, and fourth classification counties who choose to be paid by salary and who are considered full-time county officials as the base schedule for those officials, unless the current salary is lower than the compensation in the schedule (Section 50.327);

(3) Authorizes the salary commission in Cape Girardeau County to meet to determine whether to equalize the base salaries of the treasurer and public administrator with the base salaries of the auditor and recorder of deeds (Section 50.339);

(4) Requires all charter counties to mail property tax statements and receipts to taxpayers at least 30 days before being due. Currently, statements are required to be mailed at least 15 days before the due date (Section 52.230);

(5) Adds new requirements for candidates seeking the office of county treasurer (Section 54.040);

(6) Allows sensitive personal identifying information contained in recordable documents to be redacted or removed by the preparer of the document or the recorder of deeds (Sections 59.331 and 59.332);

(7) Allows county commissions, at their discretion, to open a county road and conclusively establishes the status as a public road of any county road for which the county has received county aid road trust funds for at least five years after January 1, 1990. The county highway engineer is no longer required to examine and approve a road or road change before the county commission takes action on the road (Sections 228.040, 228.070, and 228.190); and

(8) Makes any term or provision in a contract unenforceable if it requires a public administrator who is acting as a guardian to personally pay or guarantee the debt of a ward or protectee (Section 473.748).

SB 933 -- RAILROAD POLICEMEN

This bill transfers the authority for appointing railroad policemen from the Superintendent of the State Highway Patrol to the Director of the Department of Public Safety.

SCS SB 934 -- BARBER SHOP LICENSES

This bill allows a 45-day grace period for obtaining a new sanitary license when a barber shop changes ownership or location. During this period, inspections will be conducted without requiring the business to close or deviate from its regular hours of operation.

SB 936 -- COUNTY LIBRARY DISTRICTS

This bill increases the bonding limits for county library districts from 1% to 5% of the value of taxable, tangible property within the district.

SB 964 -- APPOINTMENT AND DUTIES OF ASSISTANT ADJUTANTS GENERAL

This bill allows general officers recognized in the grade of major general to be reassigned as a state assistant adjutant general without change in grade or branch.

Currently, the Adjutant General may assign a third assistant adjutant general in the grade of major general or below from Missouri's air forces. The bill removes this provision and requires that a person have 10 years of military service instead of four years as a commissioned officer before his or her appointment to assistant adjutant general, with five of the 10 years as field grade service. The bill requires that assistant adjutants general serve at the pleasure of the Adjutant General.

SB 974 -- MENTAL HEALTH SERVICES

Beginning November 1, 2007, this bill extends from November 1, 2003, to November 1 of each year the date by which the Department of Mental Health has to develop a plan for persons on the waiting list for services.

HCS SB 980 -- NURSING AND TEACHING SCHOLARSHIPS

This bill changes the laws regarding the Nursing Student Loan Repayment Program. "Eligible student" is defined as a person who

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has been accepted as a full-time nursing student, rather than a person who has applied for admission. Currently, 25% of the loan is forgiven for each year of employment. The bill revises the repayment provision to permit forgiveness through employment without a specific schedule.

The bill also establishes the Urban Flight and Rural Needs Scholarship Program for up to 100 college education students who meet the grade point requirement and agree to teach in certain school districts. The scholarship may also be granted to certain community college students or individuals who have completed a bachelor's degree and make a commitment to pursue a career in teaching. The scholarship covers up to four years of tuition and fees at a Missouri college or university and is forgiven at a rate of one year of scholarship for every two years of teaching; otherwise, the scholarship is converted to a loan which is to be repaid at 9.5% interest a year. The Department of Elementary and Secondary Education will administer the program and provide 75% of the scholarship amount, subject to appropriations. The school district with which the recipient contracts will provide the remaining 25%. The department may defer interest under certain conditions and may sell the loan to the Missouri Higher Education Loan Authority (MOHELA).

The Urban Flight and Rural Needs Scholarship Program Fund is created and will consist of all moneys appropriated, gifts, contributions, grants, or bequests which are to be used solely for awarding scholarships under this program.

HCS SB 981 -- STATE HIGHWAY PATROL

This bill allows the Superintendent of the State Highway Patrol to establish guidelines under which members of the patrol may accept other secondary employment.

SB 990 -- MEMORIAL HIGHWAYS

This bill designates a portion of State Highway 179 in Cole County as the "Wyman S. Basinger Memorial Highway" and a portion of State Highway H in Dent County from the intersection of State Highway 72 to the intersection of State Highway DD as the "Deputy Joann Barnes Memorial Highway."

CCS HCS SCS SB 1001, 896 & 761 -- DRIVERS' LICENSES

This bill changes the laws regarding the licensure of certain motor vehicle drivers.

LAWFUL PRESENCE

Applicants for a noncommercial driver's license who are 65 years of age or older and who were previously issued a Missouri driver's license, instruction permit, or nondriver's license will be exempt from showing proof of lawful presence. Any person who is not 65 years of age and does not have the required documents to prove lawful presence may be issue a one-year driver's license renewal. This one-time renewal will only be issued to an applicant who has previously held a Missouri noncommercial driver's license, noncommercial instruction permit, or a nondriver's license for a period of 15 years or more and does not have the required documents to prove lawful presence. After the expiration of the one-year period, no further renewal will be issued without producing proof of lawful presence.

OUT-OF-SERVICE ORDERS

The Highways and Transportation Commission is allowed to suspend, revoke, or cancel the registration, license, permit, or other credentials issued to a motor carrier if a federal agency or the commission has issued an out-of-service order against the motor carrier. The law is applicable to out-of-service orders placing a motor carrier's entire operation out of service but does not apply to orders placing an individual driver or vehicle out of service.

If the commission issues an order, the motor carrier must not operate any commercial motor vehicle and must not allow an employee to operate any commercial motor vehicle in intrastate or interstate commerce. After the commission has issued an order, the motor carrier must surrender all license plates, motor carrier licenses, registrations, permits, and other credentials. After the commission has issued an order, the out-of-state motor carrier will not be eligible to apply for the issuance or reinstatement of any license, registration, permit, certificate, or other credentials until the out-of-service order has been rescinded or the orders have been set aside by a court of proper jurisdiction.

Any federal or state order will be admissible in administrative and court proceedings, and the orders will constitute prima facie evidence that the motor carrier violated federal regulations or

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that the motor carrier's operation of commercial motor vehicles poses an imminent hazard. The bill also contains language dealing with the right to seek judicial review, law enforcement powers of enforcement in connection with an out-of-service order, and liability in conjunction with an out-of-service order.

INTERMEDIATE DRIVER'S LICENSE

Beginning January 1, 2007, parents or legal guardians of applicants for a temporary instruction permit are required to provide 40 hours of behind-the-wheel driving instruction. A minimum of 10 hours must occur during the nighttime hours. Currently, only 20 hours are required.

For the first six months after the issuance of an intermediate driver's license, the driver cannot operate a vehicle with more than one passenger younger than 19 years of age who is not a member of the driver's immediate family. After the first six-month time period has passed, the driver must not operate a vehicle with more than three passengers younger than 19 years of age who are not members of the driver's immediate family until he or she receives a full driver's license.

An intermediate driver's licensee will have 30 days preceding his or her eighteenth birthday to apply for and receive without further examination full driving privileges if he or she has a clean record as specified for the preceding 12 months.

Any person who violates the provisions regarding intermediate drivers' licenses or temporary permits will be guilty of an infraction, and no points will be assessed against his or her driving record.

THIRD-PARTY TESTING

Beginning August 28, 2006, the Director of the Department of Revenue will only issue or renew third-party tester certification to junior or community colleges; to private companies who own, lease, or maintain their own fleet and administer in-house testing to their employees; or to school districts and their agents that administer in-house testing to their employees.

The provisions regarding lawful presence contain an emergency clause.

HCS SB 1002 -- DRAINAGE DISTRICTS

This bill authorizes drainage district boards to impose an annual processing fee for assessed tracts when the board determines that the costs of preparing and processing the district's maintenance tax statement exceed the amount of taxes imposed. The fee will be set by the board at the district's annual maintenance tax hearing.

SCS#2 SB 1003 -- CONVEYANCES OF STATE PROPERTY

This bill authorizes the Governor to convey state property located in St. Louis, Cole, Lincoln, Greene, St. Francois, Stoddard, and Jackson counties and the City of St. Louis.

The bill contains an emergency clause.

SCS SB 1008 -- GOVERNOR'S ADVISORY COUNCIL ON AGRICULTURAL SCIENCE AND TECHNOLOGY

This bill establishes the Governor's Advisory Council on Agricultural Science and Technology consisting of seven members appointed by the Governor. The council will be required to:

- (1) Apprise the Governor of new developments in science and technology;
- (2) Identify the state's long-term needs regarding science and technology;
- (3) Provide scientific inquiry into regulatory matters upon request by the Governor;
- (4) Identify potential economic opportunities for the state in the plant biotechnology industry; and
- (5) Apprise the Governor of new developments in forestry technologies.

CCS#2 HCS SS#2 SCS SB 1014 & 730 -- ELECTIONS

This bill establishes the Missouri Voter Protection Act which changes the laws regarding elections. In its main provisions, the bill:

(1) Specifies that for elections held on or before November 1, 2008, all eligible voters may cast a provisional ballot if they fail to meet the requirements for documentation or photographic identification that are required to cast a regular ballot if they sign an affidavit and provide any state-issued identification, voter identification cards, any identification issued by the United States, educational institution identification, non-Missouri driver's license, or other specified types of bills and documents. The provisional ballots will be confirmed by signature matching;

(2) Requires that for any election after November 1, 2008, voters must establish their identity prior to voting by providing a nonexpired Missouri driver's license; a Missouri nondriver's license; certain specified documents; or photographic identification, without an expiration date, that is issued to members of the Missouri National Guard, the United States armed forces, or by the Veterans' Administration. A voter may cast a provisional ballot, but it will only count if he or she returns to the polling site with the appropriate identification during the election;

(3) Specifies that for all elections any person who has a physical or mental disability, a religious belief forbidding the use of photographic identification, or who was born on or before January 1, 1941, may vote a provisional ballot upon signing an affidavit as specified in Section 115.427, RSMo;

(4) Requires that nondriver's licenses be provided free of charge to any eligible voter who lacks other means of identification. Mobile units will assist with issuing the nondriver's licenses, and the Director of the Department of Revenue will provide a report to the General Assembly on the number of nondriver's licenses issued for voting purposes and the reason for denying any request;

(5) Requires the Secretary of State to provide notice of the new voter requirements through major communications media such as radio, television, the Internet, and printed publications;

(6) Specifies that absentee ballots will not be mailed to voters who register by mail until they have voted in person or provided

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the newly required documentation or photographic identification required to vote a regular ballot. Exceptions are allowed to these absentee ballot requirements based on federal laws;

(7) Requires election authorities to create a list of legally registered voters using the process specified in Section 115.158. Precinct binders based on identification by election judges will no longer be sufficient for voter identification lists. Voter notification cards with the new photographic identification requirements will be mailed to registered voters;

(8) Specifies that challenges to the legitimacy of voter identification may be made only to election judges and election authorities as specified in Section 115.105;

(9) Provides the criteria for holding elections after natural or man-made disasters and authorizes three judge panels formed by appellate court judges to allow the rescheduling of elections and to oversee elections. Appeals to the Missouri Supreme Court are allowed;

(10) Requires individuals registering more than 10 persons as new voters to register with the Secretary of State as voter registration solicitors. The process and requirements for registration are specified. Solicitors cannot be paid by the quantity of voters registered or the number of applications submitted, but the bill does not prohibit an hourly compensation. Failure to register is a class three election offense;

(11) Specifies detailed criteria for counting different types of punch cards and optical scan ballots to help resolve disputes over how election authorities should judge ballots;

(12) Removes the ability to vote a straight party ticket;

(13) Gives election authorities in St. Charles County the discretion as to the number of ballots they print for elections. All other counties are required to print a ratio of one and one-third times the number of ballots used in the specified types of previous elections;

(14) Requires elections to be held for the board of trustees for community college districts even if the number of candidates is equal to the number of vacancies;

(15) Prohibits state courts from extending poll hours past those established by state law;

(16) Creates two new class one election offenses:

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(a) Engaging in any acts of violence, destruction of property worth \$500 or more, or threats of violence with the intent of interfering with the right to vote; and

(b) Knowingly providing false information about election procedures for the purpose of preventing voting;

(17) Allows minor children to accompany their parents, grandparents, or guardians to the voting booth;

(18) Removes the ability to vote an advance ballot; and

(19) Removes the ability for voters to challenge the removal of their names from registration lists in circuit court.

The provision regarding the issuance of a non-driver's license at no charge contains an emergency clause.

SB 1016 -- COUNTY TAX RATE DEADLINE

This bill changes the deadline for a county commission to set the annual tax rate from August 10 to September 20.

The bill contains an emergency clause.

CCS HCS SB 1017 -- AGRICULTURAL PROGRAMS

Currently, the Department of Health and Senior Services and the Department of Agriculture are responsible for ensuring that there is appropriate and effective enforcement of the state milk standards based on an annual official rating survey. This bill replaces the state agencies with the State Milk Board as the official rating agency and specifies that the surveys be conducted biannually. The board is required to adopt a method of making official rating surveys of all milksheds.

The bill establishes the Family Farms Act which will allow small farmers who have obtained a loan for the purchase of breeding livestock a waiver of the interest payments for the first year. A small farmer will be eligible for one family farm loan, and the loan proceeds must be spent on one type of livestock. The maximum amount of a loan will be:

(1) \$75,000 for beef cattle;

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- (2) \$75,000 for dairy cattle;
- (3) \$35,000 for swine; and
- (4) \$30,000 for sheep and goats.

The Agricultural and Small Business Development Authority will administer the program and may charge a one-time fee of 1% of the loan amount. The bill will allow a lender to apply to the authority for a tax credit in an amount equal to the amount of interest which would have otherwise been paid in the first year by the small farmer. Upon approval, the authority will issue a tax credit for taxes otherwise due in the year the credit was issued. The credit may be used to satisfy quarterly tax obligations, and any unused portion may be carried forward up to three years. The maximum amount of tax credits that can be issued in a year is \$150,000.

The bill contains small farmer qualification requirements and specifies the duties of the authority in administering the program.

The per-employee maximum amount of a loan under the Linked Deposit Program that an eligible job enhancement business may borrow from an eligible lending institution is raised from \$25,000 to \$50,000.

SB 1020 -- FUEL STORAGE TANKS

This bill requires anyone who manufactures, installs, or repairs fuel storage tanks or piping for the tanks to maintain evidence of financial responsibility of \$1 million per occurrence and \$2 million in the aggregate to cover the costs of corrective action after a fuel release. The evidence of financial responsibility must be submitted annually to the Department of Agriculture.

HCS SB 1023 -- DNA PROFILING ANALYSIS

This bill defines "central repository" and "forensic DNA analysis" and allows a person who is determined to be actually innocent of a crime to receive \$50 for each day of post-conviction incarceration and an automatic expungement of any records concerning the crime for which the person was innocent.

The bill also extends the expiration date on criminal court surcharges from August 28, 2006, to August 28, 2013.

SCS SB 1026 -- VETERANS' PROGRAMS

Currently, the Executive Director of the Missouri Veterans Commission approves and administers veterans' programs in which the historical significance of veterans' service can be dedicated to outreach and education inside public schools, veteran cemeteries, veteran homes, and other institutions. The Veterans' Historical Education Trust Fund finances these programs and is administered by the commission. This bill transfers the administration of these programs and the fund to the Lieutenant Governor.

HCS SB 1045 -- ADVERSE POSSESSION

This bill makes the statute of limitations not applicable to actions involving lands granted or appropriated for any public, pious, or charitable use or to any lands belonging to the state and prohibits a claimant from adversely possessing any interest in land held by a public utility.

SB 1056 -- COMMUNITY IMPROVEMENT DISTRICTS SALES TAX

Currently, a community improvement district may, by resolution, impose a sales tax at a rate of $\frac{1}{8}$, $\frac{1}{4}$, $\frac{3}{8}$, or $\frac{1}{2}$ of 1% or 1%. This bill allows the sales tax to be imposed in increments of one-eighth of 1%, up to a maximum of 1%.

SB 1057 -- LIENS OF HEALTH CARE PROFESSIONALS

This bill adds physical therapists to the definition of "health practitioner" for the purpose of liens for patients whose sickness or injury was caused by a tortfeasor.

SCS SB 1059 -- MEMORIAL HIGHWAY

This bill designates a portion of Interstate 55 in St. Louis County as the "Officer Thomas G. Smith Jr. Memorial Highway." All signage costs will be paid by private donations.

SCS SB 1060 -- CONTRIBUTION DESIGNATIONS ON STATE INCOME TAX
RETURN FORMS

This bill requires that the contribution checkoff box for donations to the Missouri Military Family Relief Fund be on the first page of all state income tax return forms.

SS SB 1066 -- TELECOMMUNICATIONS COMPANIES

This bill allows telecommunications companies, subject to price cap regulations, to request a waiver from the Missouri Public Service Commission for rate reductions that are currently mandated based on decreases in the telephone service component of the federal Consumer Price Index. When the index is negative for the previous 12 months, companies may request that the current mandatory rate reduction be waived and the resulting savings be used for new projects including the expansion of calling scopes in rural areas.

SCS SB 1084 -- HEALTH CARE FOR UNINSURED CHILDREN

This bill extends the expiration date of the Children's Health Insurance Program (CHIPs) established by the Department of Social Services to pay for health care for uninsured children from July 1, 2007, to June 30, 2008. The expiration date of the financial assistance for the Consumer-directed Personal Care Services Program is extended from June 30, 2006, to June 30, 2008.

The bill contains an emergency clause.

HCS SCS SB 1086 -- POLICE OFFICER COMPENSATION

This bill eliminates the compensation table for St. Louis police officers and allows the St. Louis Board of Police Commissioners to establish the annual salary of each member of the police force without receiving prior authorization from the General Assembly.

The bill contains an emergency clause.

SB 1094 -- SPECIAL BUSINESS DISTRICTS IN SPRINGFIELD

This bill allows the City of Springfield to dissolve special business districts. Any proceeds from the disposal of the assets of a district must be used by the city for the purposes of the district within the former district's boundaries.

SCS SB 1117 -- MISSOURI RX PLAN ADVISORY COMMISSION

This bill transfers the Missouri Rx Plan Advisory Commission from the Department of Health and Senior Services to the Department of Social Services. The provision regarding the denial of eligibility to individuals enrolled in a Medicare Advantage Plan is removed.

HCS SCS SB 1122 -- CONVEYANCE OF HIGHER EDUCATION INSTITUTION PROPERTY

This bill allows governing boards of certain state universities to convey or transfer, except in fee simple, the title or any other interest in the property without authorization from the General Assembly. Currently, the General Assembly's authorization is required.

The provisions of the bill will expire August 28, 2011.

SB 1139 -- MEMORIAL HIGHWAY

This bill designates the portion of State Highway 21 from the intersection of Lindbergh Avenue to the intersection of Gravois Road in St. Louis County as the "Sergeant William McEntee Memorial Highway." The Department of Transportation must erect and maintain appropriate signage with the costs paid by Kirkwood police officers.

SB 1146 -- ADMINISTRATIVE HEARING AND REVIEW

This bill allows for the independent review of an agency's decision by an agency board other than the Administrative Hearing Commission. The aggrieved party may, within 30 days after the party receives notice of the agency's decision, waive the independent review by the agency board and file a petition in circuit court for the de novo review of the agency's decision.

SB 1155 -- TECHNICAL ADVISORY COMMITTEE ON THE QUALITY OF PATIENT CARE AND NURSING PRACTICES

This bill extends the expiration date for the Technical Advisory Committee on the Quality of Patient Care and Nursing Practices within the Department of Health and Senior Services from December 31, 2006, to December 31, 2011.

HCS SB 1165 -- WATER POLLUTION CONTROL FEES

This bill extends the expiration date in Section 644.054, RSMo, from December 31, 2007, until December 31, 2009, for certain waste treatment and disposal fees authorized in Sections 644.052 and 644.053, collected by the Clean Water Commission.

The President Pro Tem of the Senate and the Speaker of the House of Representatives are required to appoint members to a joint committee that will consider the restructuring of the water pollution control fees. The committee must submit a report by December 31, 2008, to the Governor, House of Representatives, and Senate with recommendations on funding the state's Clean Water Program, storm water, and related state clean water responsibilities.

SB 1177 -- LOCAL REGISTRARS

This bill allows the State Registrar within the Department of Health and Senior Services to appoint a person employed by a city health agency as a local registrar.

SB 1189 -- HOLOCAUST EDUCATION AND AWARENESS COMMISSION

This bill establishes the Holocaust Education and Awareness Commission within the Department of Elementary and Secondary Education to promote holocaust education and awareness programs. The bill specifies the membership of the 12-member commission appointed by the Governor with the advice and consent of the Senate.

SB 1197 -- DONATING BLOOD

This bill allows any person who is 16 years of age to donate blood if written permission or authorization is obtained from his or her parent or guardian.

SB 1207 -- COUNTY SALES TAX REVENUE

This bill requires that 75% of the general county sales tax revenue in New Madrid County be distributed to the county and the remaining 25% distributed equally among the incorporated cities, towns, and villages of the county. Currently, all the revenue goes to the county.

SB 1208 -- ARTICLES OF INCORPORATION FOR CORPORATIONS

This bill allows a company's board of directors to present a resolution directly to its shareholders without prior adoption by the board of directors.

SB 1216 -- TRAVEL CLUBS

Currently, if an individual wants to rescind a transaction with a travel club, he or she must deliver to the club a written statement by certified mail with a return receipt request within three business days. A person who exercises his or her right of rescission will receive a full refund, minus the amount of services actually used. This bill allows the person to send the written statement by first class mail postmarked within three business days and the full amount will be refunded, minus the actual and reasonable cost of processing the refund, including any credit card fees.

HCS SS SCS SB 1229 -- CHILDREN IN CRISIS

This bill authorizes an income tax credit for up to 50% of contributions to an entity which receives funding from the Court Appointed Special Advocate Fund, a child advocacy center, or a crisis care center. To receive the credit, donations must be in excess of \$50, and the qualified agency receiving the

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contribution will issue a contribution verification to the taxpayer to be attached to his or her income tax return.

In order to become a qualified agency, each year prior to December 31, an agency must apply to the Department of Social Services to verify its status. By February 1 of each year, the department will provide a list of qualified agencies to the Department of Revenue.

The children in crisis tax credit has a cumulative cap equal to the unclaimed portion of the resident adoption tax credit. The amount available will be equally divided among the agencies, and any unused portion not used by an agency will be available to the remaining agencies. After all the children in crisis tax credits have been claimed, any remaining unclaimed portion of the reserved allocation will be made available for non-resident adoption tax credits claims. The bill allocates \$2 million of the tax credits for the adoption of special needs children who are residents of this state. The cumulative amount of tax credits that may be claimed for nonrecurring adoption expenses will not be less than \$4 million but may be increased by appropriation.

The bill removes the requirement that the Director of the Department of Revenue submit an annual report to the General Assembly on the income levels of taxpayers claiming the tax credit.

Applications for the adoption credit for special needs children must be filed between July 1 and April 15 of each fiscal year. The credit is not refundable, but can be carried forward and claimed for up to five consecutive years.

The provisions of the bill will expire six years from the effective date.

SJR 26 -- TAXATION OF VETERANS SERVICE ORGANIZATIONS

This proposed constitutional amendment exempts, upon voter approval, the property of any veteran organization from taxation.

